Cote d'Ivoire

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Laurent Gbagbo became the republic's third elected president in October 2000, ending an almost 10-month period of military rule. The election, which excluded two of the major parties, was marred by significant violence and irregularities. The Supreme Court declared Gbagbo the victor with 53 percent of the vote. In August 2002, President Gbagbo formed a government of National Unity, which included representation from all major political parties. In September 2002, rebellious exiled military members and co-conspirators in Abidjan simultaneously attacked government ministers and military/security facilities in Abidjan, Bouake, and Korhogo. The failed coup attempt evolved into a rebellion, splitting the country in two and escalating into the country's worst crisis since independence in 1960. Rebel "New Forces" (NF), composed of Patriotic Movement of Cote d'Ivoire (MPCI), Ivoirian Popular Movement of the Greater West (MPIGO), and Movement for Justice and Peace (MPJ), retained control in Bouake, Korhogo, and the northern half of the country. In January, the Economic Community Of West African States (ECOWAS) placed over 1,000 peacekeeping troops on the ground with 4,000 French peacekeepers, who maintained the east-west cease-fire line dividing the country. In late January, the political parties signed the French-brokered Linas-Marcoussis Accord ("Marcoussis Accord"), agreeing to a power-sharing national reconciliation government with rebel representatives. The parties agreed to work together on the problems of national identity, eligibility, and land tenure. The Marcoussis Accord also stipulated a U.N. Monitoring Committee to report on implementation of the accord. President Gbagbo appointed Seydou Diarra as the Prime Minister, and in March, Prime Minister Diarra formed a government of national reconciliation of 41 ministers. The full government did not meet until mid-April when international peacekeepers were in place to provide security.

On July 4, the National Armed Forces of Cote d'Ivoire (FANCI) and NF military signed an "End of the War" declaration, pledged their support for President Gbagbo, and vowed to work for the Marcoussis Accord and disarmament, demobilization, and reintegration (DDR). On September 13, President Gbagbo named neutral Defense and Security Ministers, after consulting with the political parties. The NF lacked confidence in the new ministers and citing continuing personal security concerns and accusing President Gbagbo of too slowly implementing the Marcoussis Accords suspended their participation in the national reconciliation government and the reunification committee and boycotted the DDR program. By mid-December, the NF and government military forces took steps toward DDR, including pulling back heavy weapons, moving to cantonment sites, and releasing prisoners, and the NF ministers noted they would attend the first government meeting in 2004. The judiciary lacked transparency and was subject to executive branch and other outside influence.

Security forces under the Ministries of Defense and Interior include the Army, Navy, Air Force, Republican Guard, Presidential security force, and the Gendarmerie, a branch of the armed forces with responsibility for general law enforcement. The police forces are under the jurisdiction of the Ministry of Interior. There were major divisions within the military based on ethnic, religious, and political loyalties. Members of the military participated in seminars on human rights. The Government did not always maintain effective control of the security forces. There were numerous credible reports of instances in which security forces acted independently of government authority. The Government and NF security officials committed numerous human rights abuses.

The country, which has a population of 16 million, was generally poor but had a historically thriving modern sector. The largely market-based economy was heavily dependent on commercial agricultural, characterized by smallholder cash crop production, especially of cocoa and coffee. After assuming power, the Gbagbo Government began repaying international arrears and adhering to a balanced budget, steps that led to the resumption of foreign aid; however, widespread corruption and the lack of an accountable executive and judicial branch deterred investors. The September 2002 rebellion impeded commerce, as the division of the country hindered trade and caused international financial institutions to suspend their programs in the country. At year's end, the major international financial institutions resumed their consultations with the Government.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. In the beginning of the year, the Government and NF committed serious abuses, and there were credible reports of pro-government death squad activity, extrajudicial killings, and disappearances. The Government and NF employed mercenaries from Liberia; however, during the second half of the year, military and rebel forces worked together to reduce the number of Liberian fighters and abuses subsequently declined. Security forces frequently resorted to lethal force to combat widespread violent crime and sometimes beat detainees and prisoners. The Government generally failed to bring perpetrators of most abuses to justice, and members of security forces operated with relative impunity. Prison conditions improved but remained harsh and sometimes life threatening. Arbitrary arrests and detention were common; numerous persons, including opposition members, journalists, and military officers, were detained for long periods without trial. The judiciary did not ensure due process. An amnesty law was passed during the year for crimes committed "against the security of the state" between September 2000 and September 2002. Police harassment and abuse of noncitizen African immigrants continued. Privacy rights continued to be restricted severely. The Government restricted freedom of speech and the press, and state-owned media created an atmosphere of patriotism and nationalism. The Government restricted freedom of assembly and movement. The targeting of Muslims suspected of rebel ties diminished somewhat during the year, although Muslims and practitioners of indigenous religions were subject to discrimination. The Government allowed investigations into the human rights situation by Amnesty International (AI), Human Rights Watch (HRW), and observers from the U.N. Commission for Human Rights (UNCHR). Discrimination and violence against women, abuse of children, and female genital mutilation (FGM) remained serious problems. There were incidents of violent ethnic confrontation; societal discrimination based on ethnicity remained a problem. Child labor as well as some reports of forced child labor and trafficking in children and women also persisted.

The NF's human rights record was extremely poor. The rebels in the north summarily executed persons, killed numerous civilians, arbitrarily arrested and detained persons, and conducted arbitrary ad hoc justice. Mass graves were found during the year in rebel-held territory. In Bouake, the NF continued to operate the national television station and aired their leaders' speeches and deliberations. Citizens in the north were cut off from news aired in the south. The rebels severely limited freedom of movement within and from the territory they held and forcibly conscripted persons, including many child soldiers. Rebels and mercenaries committed particularly grave abuses in the western region of the country and in the north; under various rebel sub-leader warlords serious abuses were committed.

In May, the presence of impartial forces in the west led to most Liberian mercenaries departing the area. Subsequently, the number of reported abuses significantly decreased.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Security forces committed extrajudicial killings, some of which were believed to have been score settling as well as politically and ethnically motivated (see Section 1.g.). There were credible but unconfirmed reports that government-linked "death squads" and irregular forces (Liberian fighters, Liberian refugees, and civilians with ethnic ties to Liberia) committed and condoned extrajudicial killings. Security forces frequently resorted to lethal force to combat widespread crime. Rebel forces in the north also committed numerous extrajudicial killings (see Section 1.g.).

There were numerous reports of pro-government death squads operating in Abidjan during the first half of the year. Credible sources described "hit lists" of suspected rebels and rebel sympathizers circulated within secretive, loyalist security forces in Abidjan and other areas under government control (see Section 1.g.).

Journalists were killed during the year (see Section 2.a.).

There were credible reports of at least 10 cases in which security forces used excessive force that resulted in deaths; such cases often occurred when security forces apprehended suspects or tried to extort money from taxi drivers and merchants. There was an increased number of police officers detained for using excessive force during the year.

In May, a police officer in Abobo shot and killed Zougba Eustache Gogbeu, after his driver refused to stop at a policeman's order. The driver was injured.

In July, in Daloa, two men believed to be government soldiers shot and killed an unarmed adult and a child after they refused an order not to move. There were no known investigations at year's end.

In August, a policeman shot taxi driver Inza Doumbia for reportedly not paying a bribe on demand. For 3 days, taxi drivers and some other public transportation drivers went on strike to protest the killing. The policeman was arrested and detained for the shooting; however, the trial had not begun by year's end. The victim's family received an apology and compensation from the Government.

On August 31, men in fatigues shot and killed farmer Konate Yaya in Koumassi. According to witnesses, Konate was shot because he was dressed like a beggar and he did not stop at the police's order.

On December 11 and 12, police and gendarme forces killed at least 21 persons that reportedly tried to break into the Ivoirian Television Radio (RTI) national station. There were reports that several vehicles containing approximately 20 people approached RTI during the night. Gendarmes stopped the vehicles at a roadblock when a firefight broke out. Gendarmes immediately captured several of the combatants and executed them. Others in the vehicles fled, and security forces chased them. One soldier and one police officer also were killed. Defense Minister Rene Amani reported that he did not think the NF military were involved in the incident and added that he could not exclude the possibility that forces loyal to President Gbagbo were involved in the attack. The incident was still under investigation at year's end.

Three persons were killed when security forces razed a shantytown during the year (see Section 1.f.).

The investigations into the security force killings of taxi drivers Kalihou Keita and Seydou Konere, continued at year's end.

The following cases remained outstanding at year's end: The January 2002 beating of Julien Ilboudo; the January 2002 police shooting of Belam Issiak; the March 2002 police shooting of Lemorifing Bamba, a taxi driver; the March 2002 death of alleged thief Adama Sylla; the June 2002 police killing of seven suspected criminals; the 2001 shooting by a police sergeant of a student; and the 2001 killing of Togolese electrician Dokli Kodjo by two gendarmes.

The investigation into the 2000 Yopougon massacre was reopened in 2001 and continued during the year.

In the western part of the country, there were numerous credible reports of atrocities including killings, rapes, and looting mostly by rebel forces and armed groups from Liberia (see Section 1.g.). Verification of all of these reports was difficult because of limited access.

There were numerous incidents of ethnic violence that resulted in deaths (see Section 5).

b. Disappearance

There were several reports of disappearances during the year.

Several members of the opposition party Rally of Republicans (RDR) were missing at year's end. RDR activist Ibrahim Bakayoko reportedly has been missing since December 2002, shortly after "armed men in military fatigues" came looking for him. He reportedly was warned and eluded the "military men;" however, his family reported him as missing ever since.

On May 20, youth RDR activist Mamadou Kone reportedly was missing after armed men threatened to kill Kone's wife and children before taking Kone in their vehicle. There was no investigation by year's end.

In January, Bionaho Mathias, a former member of the Union for Democracy and Peace in Cote d'Ivoire (UDPCI) party and a merchant from Bangolo, disappeared under unclear circumstances in the western part of the country. Also in January, University of Cocody student activist Mahe Hippolyte disappeared after participating in an opposition youth party meeting in Abidjan. There were no developments in either case at year's end.

In May, at least four attackers kidnapped Nigerian businessman Garba Amadou Dougourikoye. Local newspapers speculated that Dougourikoye's disappearance may be linked to his ties to the RDR party, but his family denied that he was politically active.

In May, newspapers reported that prominent businessman Herve Pamah Coulibaly was "alive and well" in Burkina Faso, after disappearing in November 2002, although his family maintained that they have not heard from him since he disappeared. His whereabouts remained unknown at year's end.

In October, two armed men entered the home of Alphonse Kobenan Kossonou and asked Kossonou to follow them to a police station. Kossonou, who is a leading member of the Democratic Party of Cote d'Ivoire (PDCI) opposition party, was held for 3 weeks before being released. On December 4, armed security forces abducted PDCI party members Gbane Aboubacar and his younger brother Ouattara Soule. Their whereabouts were unknown at year's end.

All of the more than 100 UDPCI and RDR members that were arrested after the September 2002 rebellion have been released.

Vakefa Malick Soumahoro and three gendarmes arrested in 2002 remained missing at year's end.

Persons reported missing in previous years remained missing at year's end.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, in practice security forces often beat detainees and prisoners to punish them or to extract confessions. Police officers forced detainees to perform degrading tasks under threat of physical harm. Police detained persons overnight in police stations where they often beat detainees and forced them to pay bribes (see Sections 1.d., 1.f., and 2.d.). Police also harassed persons of northern origin or with northern names.

There were numerous reports that police and gendarmes continued to harass, beat, extort, and commit other abuses with impunity.

Members of the security forces continued to beat and harass journalists regularly; however, there were fewer reports of beatings than in the previous year (see Section 2.a.).

There were several incidents during the year in which police used excessive or inappropriate force. In January, three plainclothes policeman detained and severely beat Adama Kone near Adjame in Abidjan after finding a large amount of money. They accused him of supporting rebel activities. Kone went to the hospital for treatment and filed a complaint. There were no arrests in this case by year's end.

In July, four police officers beat Kouao Henri Julien Yao N'Cho with pipes, chains, and sticks during his interrogation for allegedly stealing. Police later beat his cousin and friend when they arrived to inquire about Yao N'Cho. Upon release, the three men stated they would file a claim.

During the year, there were several reports that security forces conducted widespread neighborhood searches where they beat and robbed residents (see Section 1.f.).

During the year, security forces remained on heightened alert for potential rebel infiltrators or active sympathizers, erected numerous roadblocks, and searched Abidjan neighborhoods, frequently during nightly curfew. Individuals associated with opposition parties or rebellion leaders or believed to be sympathizers were subjected to increased harassment and abuse (see Sections 1.d. and 1.g.).

Noncitizen Africans, mostly from neighboring countries, complained after September 2002 that they were subject to increased police harassment, repeated document checks, increased security force extortion and racketeering, violence, and frequent neighborhood searches (see Sections 1.f. and 2.d.).

Police and security forces occasionally used excessive force to disperse demonstrations; however, there were fewer reports than in the previous year (see Section 2.b.).

There were no developments the March 2002 beating of Ivoirian Party For Democracy party President Faustin Leka; the April 2002 beating of Alexis Gouanou, the July 2002 beating of Francois Kouadio of the Presidency's Office of the Inspector General; or the beating and robbing of merchants in the Adjame district of Abidjan by 20 gendarmes.

There was no action taken against members of the security forces in the following 2001 incidents: The April shooting of a taxi driver in Daloa; the April beating of Dago Fabrice in Yopougon; the May beating of a man in Daloa; the May beating of eight persons, including a secondary school teacher and two girls; and the June forcible dispersal of a strike at Blohorn Unilever.

"Militia" groups, some reportedly armed while others had access to arms, continued their activities during the year (see Section 2.b.).

In the rebel-held part of the country, rebel military police operated with impunity in administering justice without legally constituted executive or judicial oversight. The rebels often harassed and abused local citizens with impunity, often on the basis of ethnic background. There were also several reports that rebel forces beat persons who supported President Gbagbo and his Ivoirian Popular Front (FPI) party. For example, in late 2002 and during the year, there were numerous reports that rebel soldiers tortured FPI party members near Danane, regardless of their ethnic background.

There were numerous incidents of ethnic violence during the year, some of which resulted in injuries (see Section 5).

Conditions were poor and in some cases life threatening in the country's 33 prisons, largely because of inadequate budgets and overcrowding. In November 2002, the main Abidjan Arrest and Correction Center (MACA) prison housed 5,200 detainees; it was built for 1,500. There were credible reports that prisoners frequently brutalized other prisoners for sleeping space and rations; however, there were no reports that guards brutalized prisoners. The daily food allowance per prisoner in the MACA was $0.12 (80 CFA francs), the cost of one serving of corn meal mush. In other prisons, the daily allowance was $0.18 (120 CFA francs). Families frequently supplemented the food ration and at some prisons inmates grew vegetables to feed themselves. The Red Cross helped feed prisoners with no family. Doctors Without Borders (MSF) supplemented the prison system's inadequate medical facilities. Several small national and international charities also helped some prisoners. There were press reports of a flourishing drug trade and prostitution in the MACA.

In August, following several prison releases, Ministry of Justice Cabinet Director Mamadou Kone refuted allegations that his Ministry and the Minister of Justice Henriette Diabate, the RDR party's Secretary-General, favored RDR prisoners and suspects.

The Ministry of Justice reported that 39 prisoners died in MACA during the year due to malnutrition and poor conditions. On November 13, fighting between inmates and guards broke out in MACA because of a 3-day water shortage due to faulty plumbing. Prisoners injured a prison guard during the fighting.

In October, eight prisoners escaped from MACA prison. At least one guard was badly beaten during the escape. Several of the escaped prisoners had been serving 20-year prison sentences for robbery.

Men and women were held separately in prisons. Male minors were held separately from adult men, but the physical barriers at the main MACA prison were inadequate to enforce complete separation. Prison conditions for women and children remained particularly difficult. Female prisoners were segregated in a separate building under female guard. There were continued reports that female prisoners engaged in sexual relations with wardens to get food and privileges. There were no health facilities for women. Pregnant prisoners went to hospitals to give birth and then returned to prison with their babies. Some women prisoners were pregnant before being jailed. The penitentiary accepted no responsibility for the care or feeding of the infants; the women received help from local NGOs. The International Catholic Office for Children (BICE) reported that during the year, there were 20 pregnant women in MACA and that there were 20 women living in MACA with their infant children.

During the year, BICE conducted its annual study on youths in prisons, which revealed that 576 males under 18 were held in the Center for Observation of Minors in Abidjan during the year. Some of the 387 boys that were released during the year went to a rehabilitation center called "Herb Alois." BICE also helped conduct physiological tests to determine the age of some inmates who had no identification papers. There were 36 females in detention under the age of 18. BICE helped release 31 of these girls during the year. BICE also taught juvenile prisoners trades, such as sewing, carpentry, gardening, house painting, and drawing.

Pretrial detainees were held with convicted prisoners.

The Government permitted access to prisons by local and international NGOs including the International Committee for the Red Cross (ICRC), MSF, World Doctors, and International Prisons' Friendship. However, none

of these NGOs monitored human rights conditions. The Ivoirian Human Rights League (LIDHO) and Ivoirian Human Rights Movement (MIDH) monitored human rights but had to await written permission from the warden.

In April, the ICRC released a report on its actions since the onset of the crisis in the country. The ICRC said that it was granted full access to detention centers controlled by the Government and the rebel groups MPCI and MJP.

After taking control of the north, rebels maintained detention centers, and during the year, the ICRC was granted full access. Unlike in previous year, there were no reports that rebels forced prisoners into military service.

There were credible reports that the rebels killed prisoners (see Section 1.g.). The rebels reportedly considered the dozens of men they were holding to be loyalist infiltrators.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, in practice arbitrary arrest and detention remained common.

Police forces include paramilitary rapid intervention units such as the Anti-Riot Brigade (BAE) and the Republican Security Company, and the plain-clothes investigating unit, Directorate for Territorial Security (DST). A central security staff collected and distributed information about crime and coordinated the activities of the security forces. Security forces frequently resorted to excessive force (see Sections 1.a. and 1.c.).

Poor training and supervision of security forces, the public's fear of pressing charges, and continued impunity of those responsible for committing abuses contributed to the problem. There were credible reports of a few disciplinary or legal actions against some police officers for mistreating suspects and arrestees during the year; while still uneven and inadequate, disciplinary action against police officers increased during the year. Security forces still did not face sanctions for confiscating or destroying noncitizens' identification papers.

In April, members of the Cattle Traders Cooperative at the Port Bouet slaughterhouse detained two gendarmes for extorting money from merchants. Police handed the suspects over to the gendarme station for disciplinary action; there was no further information at year's end.

In June, shopkeepers in Adjame detained seven military men who had beaten merchants and stolen money and goods from the market. The authorities opened an investigation into the incident; however, there were no results at year's end.

Security forces and police officials launched several initiatives during the year to combat police racketeering and corruption. For example, in May, Abidjan police introduced a new 280-person patrol unit called the Rules and Traffic Unit (URC) designed to oversee traffic and vehicle searches and combat police "disorder." In August, the URC launched a toll free hotline where citizens could call to report police racketeering and abuse.

There were instances where police racketeering has been addressed during the year. As a result of both decreased tensions in the country and continuing complaints of harassment, on December 4 and in subsequent meetings, the FANCI and NF military agreed to remove the vast majority of the checkpoints and barricades throughout the country. By year's end, many checkpoints in the country had been dismantled, but reports of harassment and racketeering continued. In addition, in November, the Government created a subcommission to fight racketeering and corruption.

Under the Code of Penal Procedure, a public prosecutor may order the detention of a suspect for 48 hours without bringing charges, and in special cases, the law permits an additional 48-hour period. According to members of the jurists' union, police often held persons for more than the 48-hour legal limit without bringing charges, and magistrates often were unable to verify that detainees who were not charged were released. A magistrate could order preventive detention for up to 4 months but also had to provide the Minister of Justice with a written justification on a monthly basis for continued detention.

The DST was charged with collecting and analyzing information relating to national security. The DST has the authority to hold persons for up to 4 days without charges; however, human rights groups stated there were numerous cases of detentions exceeding the statutory limit.

Defendants do not have the right to a judicial determination of the legality of their detention. A judge may release

pretrial detainees on provisional liberty if the judge believed that the suspect was not likely to flee.

Although the law prohibits it, police restricted access to some prisoners. There were reports that police and the DST denied detainees access to a lawyer or to their families. Police treatment of lawyers improved during the year.

There were many instances during the year in which gendarmes or other security forces arbitrary arrested persons. National and international human rights groups were unable to give precise figures on detainees because authorities would not allow them to visit military installations where prisoners were held.

During the year, security forces arbitrarily arrested merchants and transporters, often in conjunction with harassment and requests for bribes. There was no further information on several merchants arrested in 2002 who were detained at an unknown location without access to family or counsel.

Police also detained journalists during the year (see Section 2.a.).

During the year, security forces continued to arrest and usually release persons of northern origins, RDR party members and officials, and those thought to be loyal to former junta leader General Guei. For example, in May, special forces arrested RDR member Idrissa Cisse in Grand Bassam, where Cisse leads the local RDR office. Cisse, a former member of Gbagbo's FPI party, had publicly criticized FPI hard-liner Georges Ahoba, a professor at the College of Grand Bassam. He later was released.

On May 9, FANCI soldiers arrested Sinaly Kone, the chief of Dasso in center-west under NF control, at an Abidjan market and incarcerated him under suspicion of aiding the rebels. He later was released; it was unclear how long he was detained.

In late August, shortly after French police arrested Sergeant Ibrahim Coulibaly in Paris for allegedly plotting a coup against President Gbagbo, security forces in Abidjan arrested more than 20 collaborators, including members of the armed forces and President Gbagbo's personal security detail. One of those arrested was General Abdoulaye Coulibaly, formerly the Minister of Transportation and effectively the number three in General Guei's regime. In addition, security forces detained Police Chief Inspector General Alain Mouandou-Bi, General Diabakate Soumaila (formerly Chief of the Armed Forces during the Guei regime, which was known as the National Committee for Public Salvation, CNSP), FANCI Major Cherif Moussa, up to 20 soldiers, and several civilians, including an RDR elected official. Kone Dognon, RDR member of the General Council of Boundiali, was released on September 8. In a press conference, RDR officials accused the ruling FPI party of creating the coup plot as a ruse to arrest its opponents. In early September, the Government released several of the arrestees, including General Coulibaly and RDR official Kone Dognon because there was no evidence that they were involved. After 3 weeks, French authorities released Ibrahim Coulibaly on bail. On December 24, the Abidjan court of criminal appeals ordered the release on bail of Generals Diabakate and Mouandou-Bi, along with six other detainees. At least two persons associated with the Coulibaly affair, Youssouf Ouattara and Anliou Sylla, remained in prison at year's end. Because of the civilians involved in the case, the military prosecutor transferred the file to the public prosecutor, and the civilian arrestees were indicted and jailed awaiting trial.

There were reports that pro-Gbagbo and FPI loyalists were unduly detained. In April, in Koumassi and Port-Bouet, the military detained several dozen men and held them in a gendarmerie camp for several hours before releasing them. One of the detainees complained to the press that pro-Gbagbo detainees were treated badly.

In the months after the death of rebel MPIGO leader Sergeant Felix Doh in April, security forces in Abidjan detained several members of Doh's family, including Doh's sister, Clementine Allui, and Doh's daughter, Eugenie N'Guessan. They were held for being close to Doh, and thus considered accomplices; however, they were released by year's end.

Local and international human rights organizations continued to report that security forces frequently made arrests without warrants and frequently held persons beyond the statutory limits without bringing charges. There were credible reports that the police and gendarmes detained persons in various military camps in Abidjan. Few of these detainees entered the civil justice system. There also were credible reports of forced confessions.

In response to an alleged coup attempt in mid-October, police made large-scale arrests, including the detention of 11 RDR party members, who later were released.

On April 18, an Abidjan court released on bail 52 of the at least 115 suspects detained on suspicion of conspiring in

the September 2002 and September 2001 coup attempts. Most of the suspects were arrested in their homes in the weeks after the failed coup and were held without trial. Attorneys pleaded for the release of all suspects pending their trial, but the court decided that some detainees were too great a threat to state security to let out on bail. In July, a further 42 prisoners were "provisionally released" pending trials. A Ministry of Justice official confirmed the releases occurred in the spirit of the Marcoussis/Accra agreements. In August, shortly after the National Assembly adopted the Amnesty Law, the remaining prisoners were released, including Aly Keita, RDR deputy-spokesman, and Hamed Bassam, manager of the prominent waste management company Ash International.

Early in the year, the RDR and UDPCI members reportedly detained by the Government in 2002 in what opposition parties deemed a "witch hunt" were released.

In June, Sergeant Alain Guei, son of former-junta leader General Robert Guei, was released from prison. No charges were filed.

Numerous persons arrested in 2001 and 2002 were released as part of the general amnesty in August including: Soro Tchorna Abou and Yeo Alassane; Ouatara Yaya, the RDR deputy mayor of Vavoua; Kamagate Lama; several RDR party members in Dimbokro; two of San Pedro's assistant mayors, both RDR members; 27 military personnel; RDR student leader Diarrassouba; newspaper journalist Bakayako; and fellow student leader Kamagate.

Also after the September 2002 rebellion, the Government established telephone hotlines and encouraged citizens to report persons believed to be "assailants." HRW and AI reported that authorities made numerous arrests based on hotline denunciations of persons for unproven sympathies with the rebels or "suspicious" activity.

Many inmates continued to suffer long detention periods in the MACA and other prisons while awaiting trial. A magistrate reported in November 2002 that more than 1,770 of the 5,370 detainees (31 percent) in the MACA prison were awaiting trial (see Section 1.c.). Despite the legal limit of 10 months of pretrial detention in civil cases and 22 months in criminal cases, some detainees were held in detention for many years awaiting trial.

In November 2002, President Gbagbo issued a communiqué accusing the rebels of responsibility for widespread arrests, illegal detentions, and disappearances, but mentioned no specific cases and stated only that the accusations were based on credible information. In December 2002, the UNCHR conducted a 1-week mission in government-held and rebel-held territories that corroborated reports of illegal arrests and detentions in both parts of the country.

In rebel-controlled territory, the NF also arbitrary arrested and detained many persons thought to be loyal to President Gbagbo. In the north, AI and others reported that rebels arrested and mistreated persons based on a neighbor's denunciation or suspicion that an individual's sympathies were with the Government.

On May 20, NF officials released Nestor Kouakou Konan, prefect of the northern Savanes region, who had been detained since Korhogo was taken over by rebel forces in September 2002.

On June 28, NF and MPCI forces arrested seven Telecom telephone technicians who were in Bouake on company business allegedly for being spies. The U.N. Monitoring Committee called the detention "unacceptable and arbitrary." On July 6, NF forces released the workers and stated that they were "never imprisoned or detained" but were "under surveillance."

On December 7, NF freed 40 FANCI military personnel and handed them over to the ICRC at Korhogo and Bouake. The ICRC reported that it has had access to all persons held in the country in connection with the rebellion.

In December 2002, rebels released six foreign nationals that had been held for over a week in the west. The rebels took the group from Toulepleu, Duekoue, Man, and Bouake, reportedly forcing them to assist injured rebel soldiers.

The Constitution specifically prohibits forced exile, and no persons were exiled forcibly during the year.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, in practice the judiciary was subject to executive branch, military, and other outside influences. Although the judiciary was independent in ordinary criminal cases, it

followed the lead of the executive in national security or politically sensitive cases. Judges served at the discretion of the executive, and there were credible reports that they submitted to political pressure and financial influence. The judiciary was slow and inefficient.

On July 19, local lawyers launched an NGO called "Transparency Justice" that has the stated goal of removing corruption and bribery from the legal system.

During the year, there were several strikes by court clerks to demand improved working conditions and higher salaries (see Section 6.b.).

The formal judicial system is headed by a Supreme Court and includes the Court of Appeals and lower courts. In August, the newly constituted Constitutional Council took over from the earlier Constitutional Chamber of the Supreme Court in determining the eligibility of presidential candidates. In August, President Gbagbo appointed the seven members of the Constitutional Council, without consultation with the Government. President Gbagbo tasked the Council with, among other things, the determination of candidate eligibility in presidential and legislative elections, the announcement of final election results, the conduct of referendum, and the constitutionality of legislation. Gbagbo named three advisors to the Constitutional Council for 3-year terms, three other advisors to 6-year terms, and a president. At year's end, Tia Kone remained president of the Supreme Court. The Constitution grants the President the power to replace the head of the court after a new parliament is convened.

The law provides for the right to public trial, although key evidence sometimes was given secretly. The Government did not always respect the presumption of innocence. During the year, there were no reports that defendants were not allowed to be present at their trial. Those convicted have the right of appeal, and although higher courts rarely overturned verdicts, it has occurred. Defendants accused of felonies or capital crimes have the right to legal counsel. The judicial system provides for court-appointed attorneys; however, no free legal assistance was available, except infrequently when members of the bar provided pro bono advice to defendants for limited periods.

In rural areas, traditional institutions often administered justice at the village level, handling domestic disputes and minor land questions in accordance with customary law. Dispute resolution was by extended debate, with no known instance of resort to physical punishment. The formal court system increasingly was superseding these traditional mechanisms. The Constitution specifically provides for a Grand Mediator to bridge traditional and modern methods of dispute resolution. The President appoints the Grand Mediator, who since his nomination by the Bedie Government, has been Mathieu Ekra.

Military courts did not try civilians. Although there were no appellate courts within the military court system, persons convicted by a military tribunal may petition the Supreme Court to set aside the tribunal's verdict and order a retrial.

In early August, the National Assembly passed a general amnesty law for "all offenses against the security of the state" committed between September 17, 2000 and September 19, 2002. The passage of an amnesty law was one of the conditions that all political parties agreed to in the Marcoussis Accord. War victims' groups lobbied for a specific law to allow victims to be indemnified. The law said that "economic crimes," would not be amnestied, though the law did not define the term.

There were no reports of political prisoners; however, HRW and AI have said that political leaders that were detained during the year were held primarily because of their opposition political views rather than hard evidence of involvement in the coup and should be considered political prisoners.

There was little available information on the judicial system used by the NF in the northern and western regions; however, there have been several credible reports that rebels have executed suspected looters on the spot without detention or trial. In November 2002, a French press article described rebel military police bringing suspected thieves and racketeers to a "judge" dressed in fatigues who, in a quasi-judicial process, pronounced sentence, including imprisonment in the local jail. The rebels reported that they have imprisoned several dozen persons as common criminals in Bouake.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law provides for these rights; however, the events of September 2002 triggered a widespread suspension of privacy rights. Officials must have warrants to conduct searches, must have the prosecutor's agreement to retain any evidence seized in the search, and are required to have witnesses to the search, which may take place at any time of day or night; however, in practice police sometimes used a general search warrant without a name or

address. Police frequently entered the homes of northern citizens and noncitizen Africans (or apprehended them at large), took them to local police stations, and extorted small amounts of money for alleged minor offenses, although there were fewer reports of such practices during the year. Police also searched the homes and offices of journalists (see Section 2.a.).There were credible reports that several times during the year, security forces entered and searched opposition party officials' residences without search warrants, allegedly seeking weapons. For example, in March, armed security forces used tear gas to enter the residence of former PDCI minister Bernard Ehui. Also in March, gendarmes entered the home of Fofana Sorigbe, the local Secretary-General of the RDR for an Abidjan neighborhood. In June, four men armed with automatic weapons forcibly entered the home of Bramakote Cisse, a PDCI official for the Adjame section of Abidjan, again ostensibly to search for weapons. Reports of mosque searches diminished greatly during the year, and there were no reports that clerics' homes were searched.During the year, security forces continued to conduct neighborhood searches where they would enter several homes at the same time, usually at night looking for arms. For example, on April 10, army and police forces conducted a search and arrest operation through most of the night in the Abobo-Sagbe neighborhood in Abidjan. The security forces entered several homes without search warrants and beat and arrested several residents.
In June, gendarmes stormed the Abobo-Avocatier district of Abidjan, where most residents come from the north or Burkina Faso. The gendarmes beat them and took several persons' money and identity papers.

In September, an off-duty gendarme ordered two foreign ambassadors accredited to the country to get out of their diplomatic vehicles while traveling near Bonoua in southwestern region. The gendarme, Kouassi Jean Koffi, aggressively accused the ambassadors of causing problems in the country and searched their vehicles before allowing them to leave. In October, an Abidjan court sentenced Koffi to 1 month in prison for misdemeanor assault against the ambassadors.

No action was taken against security forces who ransacked the offices of the Daloa mayor and other municipal officials in September 2002.

Security forces reportedly monitored private telephone conversations, but the extent of the practice was unknown. The Government admitted that it listened to fixed line and cellular telephone calls. Authorities monitored letters and parcels at the post office for potential criminal activity, and they were believed to monitor private correspondence, although there was no evidence of this. Members of the Government reportedly continued to use students as informants.

Shortly after the September 2002 rebellion, security forces in Abidjan began destroying shantytowns near military installations inhabited by both noncitizen Africans and citizens. There was only one major razing of a shantytown neighborhood in Abidjan during the year. On July 5, gendarmes used bulldozers to raze most of a shantytown neighborhood in Abidjan's southeastern Port Bouet neighborhood. Gendarmes fired tear gas and live ammunition at residents that resisted the demolition, killing three persons. The neighborhood has been a flash-point in the past, with construction companies wanting to build new homes on the site. Human rights groups and U.N. agencies severely criticized the destruction of shantytowns and stated that the Government targeted foreigners, mainly from neighboring countries like Burkina Faso and Liberia, and northern citizens perceived to be opposed to the Government. Tens of thousands of persons remained displaced at year's end, and continued to live in inadequate social centers, were taken into the already crowded homes of friends or relatives, or they left the country.

In October, Prime Minister Diarra launched a $17 million (9 billion CFA francs) program to assist residents who lost their homes in the months after the September 2002 rebellion. The program was under the Ministry of Territorial Administration and was intended to improve living conditions for vulnerable populations.

On January 25 and 26, after political party leaders signed the Marcoussis Accord, roving bands of "patriotic youths" rampaged in Abidjan to protest the signing, which they felt was overly generous to the rebel parties (see Section 2.b.). The youth groups, who were loyal to the President and his FPI party, caused widespread damage to French institutions and businesses, including French schools, the offices of Air France and Orange cellular phone company, and the French Cultural Center. Demonstrators also attacked the Embassy of Burkina Faso and other Burkinabe interests. There were no reports of deaths, injuries, or arrests.

There were no developments into the destruction of opposition leader Alassane Ouattara's Abidjan house in September 2002 by unknown persons. There were numerous reports that rebels confiscated property and vehicles of those suspected to be loyal to President Gbagbo or of persons who had abandoned their houses following the rebellion. In addition, there were credible reports that NF military looted and occupied several missionary houses in Bouna, Tiebessou, and Bouake. After September 2002, in the northern towns of Bouake and Katiola, rebels monitored parcels for potential threats to their position; it was unknown if this practice continued during the year.

There were corroborated reports that the rebels forcibly conscripted locals to join their ranks. Those who refused reportedly disappeared. Many of the conscripts were youth or children, although there also were reports that many volunteered to join the rebels.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal and External Conflicts

There were numerous reports that pro-government death squads operated during the year. On February 5, the U.N. High Commission for Human Rights (UNHRC) published a report that accused the Government of backing death squads, which killed, kidnapped, and tortured persons with impunity. On February 22, Justice Minister Desire Tagro responded to the report in a televised address, denied that the Government supported death squads, and called for proof of the allegations. President Gbagbo publicly denied any knowledge of death squads and said that they were likely an attempt to discredit his government.

There were several reported incidents where security forces killed suspected rebels and rebel sympathizers and dumped their bodies in another part of town. For example, in January, gendarmes arrested Mamadou Ganame, a Koranic instructor in Bianoua, Ayame, whose body was later found in the Aboisso morgue. On February 1, uniformed personnel detained well-known television sitcom actor and RDR activist Yerefe Camara (known as "H") an hour after curfew. On February 2, Camara's body was found with several bullet wounds in a working class neighborhood in Abidjan. Local and international press blamed death squads for the killing.

On April 20, a group of students took Mouroulaye Kone, a former student leader who allegedly was close to rebel MPCI leader Guillaume Soro, from his home and reportedly killed him. His body had not been found at year's end.

In May, Acting Minister of Security Zemogo Fofana ordered the secret service to investigate the death squads. While no results of the investigation were released, reports of death squad activity diminished greatly following Fofana's announcement.

The collaboration of government forces and irregular forces created a climate of fear and total impunity. In Duekoue in April, HRW confirmed that many northerners were regularly accused of being rebels and frequently beaten and executed.

Abidjan police and security forces in search of rebel sympathizers, infiltrators, and arms caches continued to use lethal force in neighborhood sweeps against citizens with northern origins and African immigrants. In February, during curfew hours, several gendarmes and police officers searched and looted several residences in Anyama, a predominantly Muslim district in Abidjan. During the search, gendarme officers killed Mory Fanny Cisse, an Islamic preacher, when he refused to open his door. Two others were injured when security forces shot several rounds to disperse the crowd that had gathered in an attempt to stop the removal of Cisse's corpse.

In August, HRW released a report accusing the Government of committing several massacres in western towns in 2002, including government involvement in the November 2002 deaths of at least 100 civilians, mainly West African immigrants. The HRW report also accused government forces of executing dozens of opposition and suspected rebel supporters in the western town of Man.

There were numerous political killings committed with impunity by both security forces and rebels during the September 2002 coup attempt and rebellion.

There were no developments in the following cases of security force killings after September 2002: The September killing of Commander Aboubacar Dosso, aide-de-camp to RDR leader Ouattara; the October killing of Adama Cisse, head of the RDR party in M'Bahiakro; the October killings of Seydou and Lanzeni Coulibaly, related to RDR Deputy Secretary General Amadou Gon Coulibaly; the November killing of Emile Tehe, president of the RDR-aligned Ivoirian Popular Movement party (MPI); and the November killing of Benoit Dakoury-Tabley, medical doctor and brother of Louis Dakoury-Tabley, one of the political leaders of the rebel MPCI, now NF.

There was no action taken regarding the death of former military junta leader General Robert Guei, his wife Rose, a son, his aide-de-camp Captain Fabien Coulibaly, several army guards, and others in September 2002. AI and HRW concluded that the deaths of Guei and his family were extrajudicial killings.

During the year, no results were released from the Government's investigation into the October 2002 security force killings of more than 100 noncombatants in Daloa in evident reprisal against northerners living in the town, and those suspected of assisting rebels. The Government publicly denied its involvement. The results also were not

released in the Government's investigation into the November 2002 death of 50 political party members and citizens.

There were no investigations of the mass graves found in 2002.

The Government used helicopter gunships to attack both government- and rebel-held territory, and numerous persons were killed. For example, on April 14 and 15, government helicopters attacked the western towns of Zouan-Hounien, Danane, and Mahapleu, striking both rebel and civilian targets including a Catholic church and a hospital. At least 4 civilians were killed and more than 20, mostly children, were injured in the assault.

On April 16, government forces used an MI-24 helicopter to attack rebels but hit a market, gas station, and gendarmerie in the rebel-held town of Vavoua, injuring at least 50, according to MSF. The U.N. Monitoring Committee and several other international bodies severely criticized the helicopter attacks. President Gbagbo responded that the rebels provoked the Government's attack.

There were credible reports describing serious abuses committed by armed forces working in complicity or in coordination with youth groups in the central and western parts of the country. HRW reported that in many attacks on civilians by paramilitary groups in Daloa, Duekoue, Guiglo, and Monoko-Zohi, local villagers from ethnic groups close to the Government provided names of foreigners, RDR members, northerners, and other alleged rebel supporters to the security forces. Self-defense committees manned checkpoints with the assent of security forces and conducted summary executions of Burkinabe and other northerners accused of being rebels.

Several human rights organizations accused the Government of encouraging and sometimes working in complicity with "civil militias" or irregular forces to attack immigrant villages and kill immigrant civilians in and around Duekoue, Daloa, and Toulepleu.

According to a HRW study, Liberians from Ivoirian refugee camps and from the Movement for Democracy in Liberia (MODEL) rebel faction fought for both the Government and the rebels and participated in mass killings, rapes, and other acts of violence against civilians in and around Toulepleu, Bangolo, and Blolekin in the west. Some of the violence was ethnically based. HRW further reported that government forces actively recruited Liberians from refugee and transit camps, mostly in west, including a number of child soldiers. The French military dubbed the government-backed Liberian forces as the "LIMA Forces." A U.N. Panel of Experts also confirmed that the Government supported the LIMA forces. The Government denied any link with the LIMA Forces.

In December, the NGO Group for Research on Democracy and Economic and Social Development (GERDDES-CI)'s President Honore Guie conducted a tour of the interior and western regions and reported that groups including MODEL and the LIMA forces were continuing a campaign of rape and torture against the civilian population. Guie said these groups have primarily targeted northerners and Burkinabe citizens but have also attacked others.

In March at least 60 civilians, including men, women, and children, were killed in the worst documented incident in Bangolo. French soldiers captured Liberian fighters who reportedly confirmed that they committed the massacre and that they were working for the Government as part of the LIMA Forces.

Several human rights organizations described numerous extrajudicial killings by rebels, particularly by the western rebel group MPIGO and its Liberian mercenaries. The rebels in the west targeted, beat, and sometimes killed gendarmes, government officials, and suspected FPI sympathizers, and committed sexual violence against girls and women, including rape and sexual slavery. The Liberian recruits helped MPIGO capture several western towns in January and committed a number of atrocities including summary executions, rape, and looting. In early January, the MPCI executed, without trial, one of its sergeants for allegedly trying to loot and embezzle MPCI funds.

In April, rebel MPCI forces detained several Buddhist missionaries traveling to Bouake, and accused them of being loyalist gendarmes in disguise. The MPCI forces reportedly beat them before releasing them.

On May 8, Ousmane Coulibaly, MJP military commander in Man, told the media that 140 Liberians were being detained "for their own protection." Coulibaly said the MJP and other rebel groups were trying to disarm all Liberian combatants and send them back to Liberia. It was unclear if the MJP continued to detain the Liberians at year's end.

In late May, MPCI forces in Korhogo executed Lago Bi Thuehi, a gendarme loyal to President Gbagbo who had

been in detention.

Rebel groups were also responsible for numerous indiscriminate killings. For example, in what may have been a reprisal massacre for the March Bangolo killings, on March 22, MPIGO indiscriminately attacked and killed 40 civilians, from both northern and southern ethnic groups, in the western town of Dah. The MPIGO rebels employed many English-speaking Liberians in the attack. At the same time, MPIGO systematically looted the property of civilians in Danane, Zouan-Hounien, and Toulepleu and committed numerous executions and other serious acts of violence against civilians.

In April, several sources reported that fighting between the western rebels, MPIGO, MJP, and their Liberian/Sierra Leonean allies resulted in execution of more than 50 Liberian mercenaries in the western region. A BBC reporter said he saw dead Liberian combatants with their hands tied and sometimes their heads and toes severed.

On May 13, the Government accused the MJP and MPIGO rebel groups of killing 150 persons and engaging in mass looting between May 8 and 10. In response, the Government reinstated a curfew in the western region. On May 20, the Government reported that armed men ambushed and killed an unspecified number of women in the Bangolo region.

In late September, there were reports of several mass graves discovered in the Bangolo. In Zeregbo and Bahably, there were four water wells found with human remains. Early reports indicated that western rebel groups who captured the area killed the persons in the mass graves and wells between December 2002 and January.

In late September, an attempted armed bank robbery by disgruntled ex-NF soldiers sparked 3 days of violence that killed 23 persons in Bouake, including several of the would-be bankrobbers. French and ECOWAS peacekeepers moved into the city to restore calm, and remained there at year's end. NF leaders imposed a curfew for 2 days in response to the shootings. In November, NF gunmen attacked a commercial bank in the northern city of Ferkessedougou, beginning a gunbattle with another group of rebels protecting it. Three combatants died.

A number of French peacekeepers were killed during clashes with rebels. For example, in August, NF soldiers killed two French soldiers in fighting near the central town of Sakassou. The soldiers were on a patrol in the demilitarized "zone of confidence" when they were attacked. The suspects were being tried in a government civilian court at year's end.

French peacekeepers were also injured during the year. On January 21, rebels clashed with French peacekeeping troops near the western town of Duekoue, and two French soldiers were injured and eight rebels killed or injured.

No action was taken against rebels who committed abuses in 2002 or during the year. In 2002, the rebel officers targeted and killed Interior Minister Emile Boga Doudou and attempted to kill then-Defense Minister Lida Kouassi. Rebels also killed Colonel Yode, Director of the Army Engineers in Abidjan; Dally Oble, Commander in Korhogo; and Dago Loula, Commander in Bouake. No government or NF investigation was conducted in the October 2002 executions of 60 gendarmes and 50 of their sons in Bouake, who were detained before their executions. Their bodies were found in mass graves.

On April 25, unknown assailants killed Felix Doh, leader of the rebel MPIGO group. According to Minister of Communications and MPCI Secretary-General Guillaume Soro, Doh died in an ambush set up by "Sierra Leonean armed gangs" led by former Revolutionary United Front (RUF) commander Sam Bockarie. Others claim Doh was killed as part of an intra-rebel disagreement.

In late May, ECOWAS, FANCI, French forces, and NF launched an operation to "clean up" and stabilize the western region. Since its launch, atrocities and killings in the west have diminished. The operation was intended to reduce the number of Liberian combatants in the country, which has not been a complete success. NF were more successful in removing Liberian fighters from the territory they control.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of expression; however, the Government restricted this right in practice. The September 2002 rebellion triggered significant self-censorship and a deterioration of press freedom. Journalists did not wish to appear "unpatriotic." However, the situation improved somewhat during the year. Private newspapers

frequently criticized government policy. The arrest, prosecution, and imprisonment of journalists decreased from the previous year. Nevertheless, members of the security forces continued to harass and sometimes beat journalists. Outspoken members of the press continued to receive death threats and suffer physical intimidation from groups aligned with the ruling FPI party. Journalists continued to practice self-censorship.

The media played a critical role in inflaming tensions, even before the September 2002 rebellion. In January, U.N. Special Humanitarian Envoy Caroline McAskie criticized the media for sending "messages of hatred" on the radio and in the written press that endangered the peace process in the country. In March, Jacques Lhuillery, the director of Agence France Presse (AFP) Africa, publicly criticized the media for creating a "climate of hostility and hate."

In April, Guillaume Soro, MPCI Secretary General, became Minister of Communications. Following his appointment, Soro received the local press, including newspaper editors, publishers, and chairmen of media associations, at his ministerial office and urged the press to exercise greater professionalism and to recognize its critical role in rebuilding the country.

The National Press Commission (CNP) was meant to enforce regulations relating to the creation, ownership, and freedom of the press. The only remaining government-owned daily newspaper, Fraternite Matin, which had the greatest circulation of any daily, rarely criticized government policy. There were a number of private newspapers: Approximately 20 dailies; 30 weeklies; 5 semi-monthlies; and 10 monthlies. Newspapers often ceased publication and were supplanted by others due to strong competition, a limited audience, and financial constraints. A few newspapers were politicized, sometimes resorting to fabricated stories to defame political opponents. The law requires the "right of response" in the same newspaper, thus newspapers often printed articles in opposition to an earlier article.

Because of low literacy rates, radio was the most important medium of mass communication. Newspapers and television were relatively expensive. The government-owned broadcast media company, RTI, owned two major radio stations; only the primary government radio station broadcast nationwide. Neither station offered criticism of the Government; both government-owned stations frequently criticized opposition parties and persons critical of the Government. Four major private international radio stations operated: Radio France Internationale (RFI), the British Broadcasting Company (BBC), Africa No. 1, and Radio Nostalgie. These stations broadcast on FM in Abidjan only, except for RFI, which broadcast via relay antennas to the north and center of the country. The RFI and BBC stations retransmitted internationally produced programming. The Africa No. 1 station, which was 51 percent locally owned, broadcast 6 hours of locally produced programming every day. Radio Nostalgie was 51 percent owned by Radio Nostalgie France, but it was considered a local radio station. The RFI, BBC, and Africa No. 1 stations all broadcast news and political commentary about the country.

There were approximately 50 community radio stations authorized under government regulations. They had limited broadcast range and were allowed no foreign language programming, no advertising, and only public announcements limited to the local area. Some of the stations did not broadcast for lack of resources.

The private radio stations, except for Radio Nostalgie, had complete control over their editorial content. The Government monitored Radio Nostalgie closely because the major shareholders of the company were close to RDR president Ouattara. National broadcast regulations forbade the transmission of any political commentary. Radio Nostalgie was ransacked on several occasions before and after September 2002 and briefly switched to an all-music format after patriotic youth groups loyal to President Gbagbo damaged the building in late January, which caused the station to close temporarily. On February 18, Radio Nostalgie returned to the air with normal programming.

Shortly after the September 2002 rebellion, the Government cut access to international, independent media, including RFI, BBC, and Africa No. 1 programming on FM frequencies. French channel TV5 was also cut, although it resumed telecasts within a few weeks. The combined blocks on both radio and television cut access to independent media programming for the majority of the population. Voice of America radio continued broadcasting and government-controlled broadcasts continued uninterrupted. At the same time, the Government began a campaign to discredit the international press and its coverage of the national crisis. On February 18, the Government allowed RFI, BBC, and Africa No. 1 to resume broadcast on their FM frequencies.

The Government owned and operated two television stations (RTI 1 and RTI 2) that broadcast domestically produced programs. Only one broadcast nationwide. Neither station criticized the Government, but they frequently criticized the opposition or persons who opposed the Government's actions. There were two satellite television broadcasters: One French (Canal Horizon/TV5), and one South African (DS TV). They did not broadcast domestically produced programs. During the year, the Government did not receive or accept any applications to

establish privately owned domestic television stations.

Private TVCI International began satellite television broadcasting in October 2002; however, in April and May, personnel at this station stopped work for 4 days to call attention to their differences with the station's chief financial manager. President Gbagbo founded TVCI International to improve the country's image abroad, but the station was no longer operating at year's end, pending a re-organization.

A journalist's association, the Observatory of Press Liberty and Ethics (OLPED), frequently wrote public letters to criticize government interference and harassment. On April 17, OLPED released a statement claiming various abuses by authorities against journalists, including: The harassment on several occasions of journalists from the PDCI-owned Nouveau Reveil; the preferential treatment granted to national television to the detriment of other public and private press organizations; and intimidation of the international press.

On October 21, police Sergeant Theodore Tolou Sery killed RFI reporter, and French citizen, Christian Baldensperger, who wrote under the name "Jean Helene," near the General Directorate of the National Police. Sery immediately turned himself in to his supervisors. Helene had visited the General Directorate to make inquiries on the RDR supporters who were jailed at the station and were to be released that evening. Helene was unarmed and was shot once in the head, and there were reports that he was beaten prior to his shooting. President Gbagbo, Prime Minister Diarra, and most other major politicians issued statements severely criticizing the killing. Several newspapers accused Gbagbo and other politicians of creating a "climate of hatred" that allowed the killing to occur. Three days after the shooting, Minister of Security Martin Bleou dismissed Police Chief Adelphe Baby while releasing a statement criticizing the killing. French public prosecutor Yves Bot came to Abidjan in mid-November to investigate the killing alongside the government investigation. Both reports were received by Gbagbo during his visit. At year's end, Sery's trial had not begun.

There were several reports that security forces beat journalists. For example, on July 5, gendarmes detained a journalist from independent local newspaper 24 Heures when he arrived to cover the demolition of a shantytown Abidjan neighborhood (see Section 1.f.). Gendarmes interrogated the journalist and confiscated his camera film, which included photographs of residents killed by the gendarmes.

On July 28, police in Abidjan beat Alakagni Hala and Doua Gouly, two correspondents for the government-owned Fraternite Matin. The National Union of Journalists in Cote d'Ivoire (UNJCI) released a statement severely criticizing the beatings and stated that police "shoved and manhandled" Hala when he tried to cover an incident between a policeman and a motorist. When Gouly went to secure the release of his colleague, UNJCI said that a policeman beat him for "contradicting the officer" and for his "journalistic approach." The police then forced Gouly to take off his clothes and sit in a cell. With the intervention of a police administrator, the two journalists were released.

In October, Congress of Young Patriots (COJEP) leader Charles Ble Goude led a nationwide campaign to confiscate and destroy several daily newspapers and prevent their distribution throughout the country. The newspapers included 24 Heures (independent), Le Jour (independent), Le Patriote (pro-RDR), Le Liberal (pro-RDR), Le Nouveau Reveil (pro-PDCI) and Le Front (pro-NF). Many newspaper vendors reported that the patriots verbally and physically threatened them, while some reported that they were physically attacked. The confiscations occurred in areas around Abidjan, and also in other government-controlled towns including Adzope, Agboville, Divo, Gagnoa, and San Pedro. Despite Ble Goude publicly claiming responsibility, there were no arrests. In protest of the confiscations and harassment, newspapers halted distribution, and the press distribution company Edipresse reported a loss of $73,000 (40 million CFA francs). In November, there were credible reports that the same newspapers had again been confiscated, although on a smaller scale.

There were credible reports that security forces continued to harass journalists. For example, in January, Denis Kah Zion, publisher of Le Nouveau Reveil, which is close to the PDCI party, told the press that he had received several threats from death squads because of his newspaper's frequent criticism of President Gbagbo.

There also were several reports during the year that foreign journalists were subjected to government harassment and intimidation. For example, on January 7, authorities briefly detained Anne Boher, a Reuters journalist, and accused her of being a spy for the rebel MPCI movement in the town of San Pedro. Authorities transferred Boher to Abidjan, released her, and called the incident "a misunderstanding." In early March, the AFP reported that police threatened to kill a group of French journalists who photographed a convoy of French soldiers being stoned by local youths. Also in March, at a press conference for President Gbagbo, French journalists complained that military officials yelled insults and harassed them. The Government denied that the journalists were physically attacked and said that there was only "an exchange of viewpoints" between the security forces and the reporters.

The Government also said that the episode would have been avoided if the cameramen had stopped filming the President's security guards when asked. Because of security fears, some international reporters and the citizens who worked for foreign press agencies chose to leave the country temporarily.

No action was taken against members of the security forces who beat and harassed journalists in 2002 and 2001.

There were no further developments into the searches and ransacking of opposition newspaper offices that occurred in 2002.

On June 27, approximately 200 youths loyal to President Gbagbo attacked Minister of Communications Soro while he visited the RTI national TV and radio station. Soro remained trapped in the station for 2 hours before a gendarme unit arrived and extracted him. The Government severely criticized the assault as an "abominable act;" however, there have been no arrests and no explanation of how the youths were allowed to enter the compound. On July 2, Soro unilaterally suspended and replaced George Aboke and Jean-Paul Dahili, Director General and Deputy Director of the RTI, after the attack. After July 2, the television news noticeably increased coverage of the Prime Minister's activities and devoted considerable coverage to those engaged in reconciliation efforts. On July 14, Aboke and Dahili filed suit in the Supreme Court to demand that their jobs be reinstated, and in late August, the Supreme Court ruled the dismissals were inappropriate, and they resumed their work at RTI. Following the reinstatement of Aboke and Dahili, television news markedly increased its coverage of President Gbagbo. In order to help depoliticize broadcast policy, the Prime Minister reorganized RTI as a limited liability company with a board of directors in December.

Following the September 2002 rebellion, the Government gradually reduced press freedoms in the name of patriotism and national unity. Outspoken members of the press who questioned government policy reported physical intimidation and receiving death threats from groups aligned with the FPI party and the Government. Foreign journalists complained to the Government of similar threats. Several dozen staff members were denied access to work at the state-controlled RTI in 2002 allegedly because they were not partisans of the governing FPI party. They were all allowed to return to work a few weeks later.

The Government exercised considerable influence over the official media's program content and news coverage, using them to promote government policies and criticize the opposition. Much of the news programming during the year was devoted to the activities of the President and government officials. Minister of Communications Soro frequently complained that the Government has not freely accorded television airtime to opposition party members, including himself.

In April, in a sign of reduced tensions, a popular call-in talk show on the government radio station resumed after having been suspended since October 2002 reportedly because calls and comments were becoming increasingly critical of President Gbagbo and his handling of the crisis. In June, Abidjan TV aired interviews with several Burkinabe journalists who accused the media of exacerbating the country's crisis.

The law authorizes the Government to initiate criminal libel prosecutions against officials. In addition, the State may criminalize a civil libel suit at its discretion or at the request of the plaintiff. Criminal libel was punishable by from 3 months to 2 years in prison.

In October 2002, the trial of three journalists from Le Jour on defamation charges was slated to begin, but was deferred and had not taken place at year's end.

While there was still self-censorship in the press, some newspapers were significantly more critical of presidential and government actions than in the previous year. Independent daily newspapers and opposition party dailies frequently examined and called into question the Government's policies and decisions.

In April, Yao Noel, a journalist from the government-owned Fraternite Matin, announced the formation of a pro-reconciliation media association called "Group Media for Reconciliation and Peace." On June 2, a group of journalists launched an association called "Journalists for Reconciliation in Cote d'Ivoire" (AJORP-CI) as an effort by journalists to contribute to the reconciliation process.

In August, editors and political columnists from various local newspapers attended a seminar on the "Promotion of the Free Press," with an emphasis on the role of the press in the national reconciliation process.

On October 28, the UNJCI and the OLPED conducted a workshop for local journalists and media directors on "the

role of the media in the management of crisis in the national reconciliation process." The organizers stated they hoped the 2-day meeting would help to minimize tension generated by the media.

In rebel-held territory, rebels broadcast from Bouake, and aired their own programming, which included radio shows that were heard in towns and villages around Bouake and, according to some reports, in the political capital, Yamoussoukro. In the western part of the country, MJP rebels also broadcast on a local radio station around Man. At year's end, the NF had not allowed government TV or radio or French TV or radio to resume their broadcasts. The NF also have not allowed distribution of all pro-government papers and most independent newspapers in their territory.

In the rebel-held zones, rebel forces also beat, harassed, and sometimes killed journalists. According to Reporters Without Borders (RSF), in January, Liberians fighting alongside the army killed Press Agency Correspondent Kloueu Gonzreu, and the party he was traveling with, for unspecified reasons in the western rebel-held zone near Toulepleu. In February, MJP rebel forces arrested Rene Dessonh, press correspondent for private independent newspaper Soir Info, near Man on suspicion of spying. MJP forces released Dessonh after 3 days detention without explanation.

In August, a NF publication announced that NF in Bouake arrested Zabril Koukougnon, a journalist from the pro-ruling party, FPI-owned newspaper Notre Voie. The NF said that Koukougnon was spying and plotting an insurrection in NF territory. There were no further updates at year's end.

The Government did not restrict access to or distribution of other electronic media. There were 12 domestic Internet service providers, of which 4 were major providers. All 12 service providers were privately owned and relatively expensive. The licensing requirements imposed by the government telecommunications regulatory body, ATCI, reportedly were not unduly restrictive. Internet access remained limited in the country.

There is no law specifically concerning academic freedom; however, in practice the Government tolerated a considerable amount of academic freedom but inhibited political expression through its proprietary control of most educational facilities, even at the post-secondary level. A presidential decree required authorization for all meetings on campuses.

Many prominent scholars active in opposition politics retained their positions at state educational facilities; however, some teachers and professors suggested that they have been transferred, or fear that they may be transferred, to less desirable positions because of their political activities. According to student union statements, security forces continued to use students as informants to monitor political activities at the University of Abidjan.

Unlike in the previous year, there were no reports that the university and secondary students' association, Federation of Students and Scholars in Cote d'Ivoire (FESCI), attacked or intimidated teachers or had violent conflicts with rival groups. However, at least one person was killed and six injured during fighting at the annual FESCI Congress for the election of a new presidential candidate. In addition, there was violence attributed to FESCI in October following the killing of one of its members at a demonstration (see Section 2.b.).

b. Freedom of Peaceful Assembly and Association

The Constitution allows for freedom of assembly; however, the Government sometimes restricted this right in practice. Groups that wished to hold demonstrations or rallies were required by law to submit a written notice of their intent to the Ministry of Security or the Ministry of Interior 3 days before the proposed event. No law expressly authorizes the Government to ban public meetings or events for which advance notice has been given in the required manner. In practice, the Government prohibited specific events deemed prejudicial to the public order; even if authorization was granted, it later could be revoked. There were numerous demonstrations during the year. There were few instances of police forcibly dispersing demonstrations even when they deemed that public order was threatened; generally they allowed the demonstrations to proceed. However, security forces on occasion used excessive force to disperse demonstrators.

In March, security forces fired tear gas into a crowd of 500 persons approaching downtown Abidjan to demonstrate against the perceived failure of the French to stop rebel attacks in the west. On April 1, President Gbagbo and interim Security Minister Fofana apologized to the demonstrators, saying they were "mistakenly dispersed."

On July 29, university students protested in front of the Prime Minister's Office to complain about their school year being ruined and demanded compensation and financial assistance for their difficulties. On August 13, the students again demonstrated to demand the promised payments. The student demonstration was peaceful, but others took

advantage of the confusion to commit acts of vandalism and robbery. Police arrested several people and fired tear gas to disperse the crowds.

On September 18, police shot Goboulessie Jean-Luc, a student and FESCI member in Abidjan, as they opened fire on several hundred students who were protesting the Government's failure to make a promised compensation payment for their living expenses. Police stated that riot police fired in the air to disperse the crowd, which included many nonstudents who took advantage of the chaos to join the demonstration to commit unlawful acts. The Government released a statement saying that it "deplored" the abuse "that could have been avoided with patience and understanding, and apologized for the incident." The Government began an investigation into the incident; however, there were no results by year's end. In late September, President Gbagbo received 16 FESCI members to discuss Goboulessie's killing and to try to resolve the students' concerns over promised compensation. In October, FESCI students ransacked the offices and attacked the staff of the mortuary that held Goboulessie's corpse because of a dispute over the viewing time. An IVOSEP staff-member was beaten, and there was some property damage to the offices. There were no arrests made in connection with this case.

On October 10, youths claiming to be members of the Group of Patriots for Peace (GPP) destroyed facilities of the Ivoirian Water Distribution Company, the Ivoirian Electricity Company, and Cote d'Ivoire Telecommunications. Demonstrators said they were protesting the "free" supply of water, electricity, and telephone in rebel-controlled areas. Minister of Telecommunications and New Technologies strongly criticized the violence and told his workers that President Gbagbo had reinforced security around their workplaces. At a Council of Ministers meeting on October 16, President Gbagbo announced that as a result of the October 10 violence, the GPP would be disbanded. There were no reports of GPP activity through year's end; however, in December, GPP leader Charles Groguet formed a new organization called Convention of Patriots For Peace (CPP), which was considered a reformulation of the banned GPP.

On October 16, the Council of Ministers suspended all marches and demonstrations for 3 months. Several youth groups, including the PDCI and RDR, claimed that the suspension of demonstration came in reaction to their plans to march in support of the Marcoussis Accord. These "pro-Marcoussis" youth groups called off a scheduled November 8 demonstration because of the suspension. Pro-Gbagbo/pro-FPI patriot groups, including COJEP and Union of Patriots for the Total Liberation of Cote d'Ivoire (UPLT-CI), continued to stage marches and demonstrations despite the suspension (see Section 1.f.). On November 30, 200 self-proclaimed patriots, along with some gendarme and military elements, went to Mbahiakro (40 miles east of Bouake) to confront French troops and to move through the "zone of confidence" to "liberate" NF-held towns. The French Licorne troops disabled one military armored vehicle, and on November 30 injured six persons who breached the internationally defined zone of confidence. From December 1-4, French soldiers fired stun grenades and tear gas to break up a patriot demonstration, which included COJEP leader Charles Ble Goude, and prevented them from approaching the security zone in front of the main gate of the French "BIMA" military base in Abidjan. There were no reported arrests at either the Mbahiakro or BIMA demonstrations.

French troops broke up protest to protect French citizen in danger. For example, on January 31, 300 patriots protested the anticipated arrival of the new Prime Minister at Abidjan's airport. Demonstrators broke windows and threw rocks at French troops and vehicles that arrived to secure the airport. When French troops intervened to disperse the crowd, one French officer was seriously injured. There were no reported arrests.

Persons with disabilities groups held several demonstrations during the year (see Section 5).

No action was taken against security forces who forcibly dispersed demonstrations in 2002 and 2001.

In early May, approximately 20 self-proclaimed young patriots disrupted a PDCI and a UDPCI meeting in Abidjan. On both occasions, the group surrounded the buildings and yelled threats. Police broke up the demonstrations, but made no arrests.

In NF controlled territory, there were numerous demonstrations throughout the year, usually organized by the MPCI and in support of the NF and against President Gbagbo. The Constitution provides for freedom of association and the Government generally respected this right in practice. The Government allowed the formation of political parties, trade unions, professional associations, and student and religious groups, all of which were numerous. All parties and NGOs must register with the Ministry of Interior before commencing activities. To obtain registration, political parties had to provide information on their founding members and produce internal statutes and political platforms or goals consistent with the Constitution. There were no reports that the Government denied registration to any group, but processing rarely was expeditious. There were more than 100 legally recognized political parties, 7 of which were represented in the National Assembly (see Section 3). The Constitution prohibits the formation of

political parties along ethnic or religious lines; however, in practice ethnicity and religion were key factors in some parties' membership (see Sections 2.c. and 5).

During the year, loyalists of President Gbagbo's FPI party formed youth patriot groups with thousands of members in Abidjan neighborhoods and in towns and cities throughout southern, central, and western regions. The common factors with these groups were that they were linked to President Gbagbo and the FPI, were anti-French, anti-"foreigner", and anti-Marcoussis Accord. Gendarme and army officers led some groups in physical training. Belligerent patriot groups rallied in neighborhoods, called for "armed resistance" and hassled and intimidated residents and merchants. There were persistent reports that some patriot groups had arms or had ready access to arms. On May 18, the President asked the patriot groups that had formed to register with the Ministry of Interior and become official organizations. At year's end, there were no reports that they have done so. President Gbagbo said that if they registeredand were not armed, they were not militias. The Presidency sponsored some of these groups, tolerated others, but did not have complete control over them.

In November, HRW reported that they received reports of Presidency-supported militias harassing and assaulting peasant farmers, many of whom were migrants from other West African countries. HRW reported that most of the militia members are Bete (the ethnic group of President Gbagbo) or members of groups related to Bete.

c. Freedom of Religion

The Constitution provides for freedom of religion and the Government generally respected that right; however, after September 2002, the Government targeted persons perceived to be perpetrators or supporters of the rebellion, who often were Muslim. Strong efforts by religious and civil society groups have helped prevent the crisis from becoming a religious conflict. The targeting of Muslims suspected of rebel ties diminished somewhat during the year.

There was no state religion; however, for historical as well as ethnic reasons, the Government informally favored Christianity, in particular the Roman Catholic Church. Catholic Church leaders had a stronger voice in government affairs than their Islamic counterparts, which led to feelings of disenfranchisement among some Muslims. The Government restructured the cabinet after the Marcoussis Accord, and 10 of the 41 ministers, along with the Prime Minister, are Muslims.

In July, military forces living near a mosque beat the muezzin at the Yopougon Mosque to stop his call to prayer. The military men also entered the mosque and told the worshippers to stop praying.
Following the conflict in September 2002 and during the year, there were credible reports of military and security forces committing abuses, including reprisal killings, against presumed rebel sympathizers, which included many Muslims (see Section 1.g.). There were credible reports that government forces and unknown assailants linked to the Government detained and questioned several Muslim leaders (see Section 1.g.). There were no reports of persons detained solely on religious grounds; however, there were reports of beatings.

The law requires religious groups desiring to operate in the country to register; however, registration is granted routinely.

Although nontraditional religious groups, like all public secular associations, were required to register with the Government, no penalties were imposed on groups that failed to register. Members of the country's largely Christianized or Islamic urban elites, which effectively controlled the State, generally were disinclined to accord to traditional indigenous religions the social status accorded to Christianity and Islam. Some Muslims believed that their religious or ethnic affiliation made them targets of discrimination by the Government with regard to both employment and the renewal of national identity cards. As northern Muslims shared names, style of dress, and customs with several of the country's predominantly Muslim neighboring countries, they sometimes were accused wrongly of attempting to obtain nationality cards illegally to vote or otherwise take advantage of citizenship. This created a hardship for a disproportionate number of Muslim citizens. The Marcoussis Accord calls for the resolution of the national identity question; however, no action was taken during the year.

In April, Minister of National Reconciliation Sebastian Dano Djedje met with Muslim leaders to hear their grievances. El Hadj Diaby Abass, the imam for the Central Mosque in Daloa, told Dano Djedje that gendarmes regularly entered Daloa mosques during curfew hours to conduct weapons searches. He noted that churches were not searched. No further action was reported by year's end.

On July 28, a new Islamic group called "The Converted People's Organization" formed and declared itself as an "apolitical" alternative to the Superior Council of Imams (CSI). The group's founder, El Hadj Yaya Legre, is from President Gbagbo's Bete ethnic group and has spoken out publicly in support of President Gbagbo.

Unlike in previous years, there were no reported incidents that FESCI perpetrated violence against competing or

constituent student groups, including the Association of Muslim Students.

The Government has taken some positive steps to promote interfaith understanding. Government officials, including the President and his religious advisers, appear at major religious celebrations and events organized by a wide variety of faiths and groups. The Government often invited leaders of various religious communities (but not of traditional indigenous religious groups) to attend official ceremonies and to sit on deliberative and advisory committees, including the Mediation Committee for National Reconciliation. The Government created a Ministry of Religion to promote interfaith understanding.There have been several reports of religious violence and increased Christian/Muslim tensions, generally in the north and west regions. In April, Maurice Dodo, a church leader in the western town of Daloa, reported that western rebels held him for 12 days. Conflicts between and within religious groups have surfaced occasionally. The Celestial Christians have been divided because of a leadership struggle. In June, followers of rival leaders Blin Jacob Edimou and Louis Akeble Zagadou clashed over the ownership of a church under construction. Police officers arrested six men. Construction on the church remained suspended until the Minister of Religion has examined the dispute.

There was some societal discrimination against Muslims and followers of traditional indigenous religions (animists).

For a more detailed discussion, see the 2003 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation The Constitution does not provide specifically for these rights, and the Government restricted freedom of movement during the year. The Government generally did not restrict internal travel. However, security forces and water, forestry, and customs officials frequently erected and operated roadblocks on major roads, where they demanded that motorists or passengers produce identity and vehicle papers and regularly extorted small amounts of money or goods for contrived or minor infractions. Extortion was particularly high for those intending to travel north from government-controlled areas to NF territory. During the year, security forces or local civilian "self defense committees" erected numerous roadblocks and harassed and extorted travelers, commercial traffic and truckers, foreigners, refugees, U.N. High Commissioner for Refugees (UNHCR) workers, and others; however, there were fewer such reports by year's end (see Sections 1.d. and 1.g.). Uniformed forces and civilian committees demanded payment at each roadblock, sometimes reportedly beating and detaining those who could not pay.

On May 10, the Government lifted the nationwide curfew, which had been in effect since September 2002.Persons living under NF authority regularly faced harassment and extortion when trying to travel between towns, and to the government-controlled south. Local military authorities regularly sold passes they required of travelers.There were no reports during the year that opposition party members reported that they feared being arrested at the airport if they attempted to leave the country.

The Marcoussis Accord required that a revised citizen Identification and Naturalization Law be enacted within 6 months to settle citizenship and naturalization questions. At year's end, an identification and naturalization law had not been passed. The Marcoussis Accord also declared that the residence permit program for foreign residents should be replaced.

Thousands of persons, mostly noncitizens, remained displaced during the year following the Government's destruction of shantytowns in 2002. The Government razed one shantytown during the year (see Section 1.f.).

The Constitution does not provide for the granting of asylum or refugee status to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The law includes refugees but does not specify a separate legal status for them; however, in practice the Government provided protection against refoulement. The Government also cooperated with the UNHCR and other humanitarian organizations in assisting refugees. The Government maintains an entity within the Ministry of Foreign Affairs charged with assisting refugees and stateless persons.

The Government also provides temporary protection. In the second half of the year, the Government assisted with the resettlement of more than 4,000 at-risk Liberians. There were an estimated 67,000 refugees in the country, the vast majority of whom were Liberians. During the year, the Government has continued to allow in new Liberian refugees.

According to the Burkina Faso Minister of Social Action, 350,000 Burkinabes fled the country since the September 2002 rebellion to escape harassment and abuse. The Burkina Faso Government launched a program in February to help 125,000 of its returning citizens. The border with Burkina Faso reopened in September. In addition, in the months following the September 2002 rebellion, 1,000 Nigerians, Malians, and Guineans left the country. Various West African governments complained about the harassment their citizens faced in the country. The U.N. and other international organizations documented abuses against foreigners in Abidjan that included arbitrary arrest, beating,

and theft of money and valuables. These complaints diminished during the year.

Security officials often did not honor identity documents issued to refugees by the UNHCR. There were frequent reports that security officials stopped refugees to ask for identity documents. When the refugee produced only a UNHCR document, the security officials often also demanded money. There also were credible reports that security forces destroyed refugees' identity documents, arbitrarily detained, and occasionally beat refugees. Unlike in the previous year, there were no reports that security forces harassed UNHCR. The identity card law included provision for the issuance of identity cards to refugees; however, the ID cards were not issued by year's end.

During the year, the Government continued to repatriate citizens who took refuge in Mali after the rebel takeover of the north.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides for the right of citizens to change their government peacefully through democratic means; however, significant violence and irregularities marred presidential elections held in October 2000 and legislative elections held in December 2000. The Constitution and Electoral Code provide for presidential elections and legislative elections every 5 years by a single and secret ballot. The Constitution, which was formally implemented in 2000, also continues the tradition of a strong presidency.

The 2000 presidential elections followed several postponements and a controversial Supreme Court decision disqualifying 14 of the 19 candidates, including all of the PDCI and RDR candidates. RDR leader Ouattara was excluded from running in the presidential and legislative elections following the Supreme Court's rulings that he had not demonstrated conclusively that he was of Ivoirian parentage. The Constitution includes language that is considered more restrictive than the Electoral Code on questions of parentage and eligibility requirements for candidates. Furthermore, the Court maintained that Ouattara had considered himself a citizen of Upper Volta (Burkina Faso) earlier in his career. The Court also disqualified Emile Constant Bombet, PDCI candidate and former Interior Minister, because of pending charges of abuse of office when he was Minister, and former President Bedie, who also was president of the PDCI party, because he did not submit the required medical certificate.

As a result of the Supreme Court decision, most international election observers declined to monitor the election. The nationwide participation rate was 33 percent, and some polling places, especially in the north, closed early because of the lack of voters. Preliminary results showed that Gbagbo was leading by a significant margin. However, on October 23, 2000, soldiers and gendarmes entered the National Elections Commission (CNE), expelled journalists, and disrupted television and radio broadcasting. On October 24, 2000, Daniel Cheick Bamba, an Interior Ministry and CNE official, announced on national radio and television that the CNE had been dissolved and declared General Guei the victor with 56 percent of the vote. Thousands of Gbagbo supporters protested, demanding a full vote count. Mass demonstrations resulted in numerous deaths and injuries, and on October 25, 2000, national radio and television reported that General Guei had stepped down. When Gbagbo was inaugurated on October 26, 2000, gendarmes loyal to him violently suppressed RDR street demonstrators demanding new presidential elections.

The December 2000 National Assembly election was marred by violence, irregularities, and a very low participation rate. Largely because of the RDR boycott of the elections to protest the invalidation of Ouattara's candidacy, the participation rate in the legislative election was only 33 percent. In addition, the election could not take place in 26 electoral districts in the north because RDR activists disrupted polling places, burned ballots, and threatened the security of election officials. Security forces violently dispersed RDR demonstrations protesting Ouattara's ineligibility.

Following the legislative by-elections in 2001, 223 of the 225 seats of the National Assembly were filled: The FPI won 96 seats, the PDCI 94 seats, the PIT 4 seats, very small parties 2 seats, independent candidates 22 seats, and the RDR (in spite of its boycott of all of the legislative elections) 5 seats. The two seats from Kong, where Ouattara planned to run, remained unfilled as the RDR, the only party running in that electoral district, boycotted the elections.

An Abidjan court in June 2002 issued Ouattara a certificate of nationality, valid for only 3 months. It was not clear if his certificate of nationality was renewed beyond the end of 2002, and at year's end his citizenship and electoral eligibility remained unresolved.

Citizens' ability to elect subnational governments was limited. The State remained highly centralized. Subnational government entities existed on several levels and included 19 regions, 58 departments, 230 districts, and 196

communities. However, at the level of the region (regional prefect), the department (prefect), and the district (sub-prefect), the Government appointed office holders. Other departmental and community officials, including mayors, were elected, as were some traditional chieftains. Subnational governments relied on the central government for most of their revenues, but mayors had autonomy to hire and fire community administrative personnel.

In July 2002, the country held its first departmental (provincial) elections. Voters selected 58 departmental councils to oversee local infrastructure development and maintenance as well as economic and social development plans and projects. The elections were fraught with poorly administered distribution of voter cards, widespread voter intimidation, and other irregularities.

Following the Marcoussis Accord in January, President Gbagbo and Prime Minister Diarra formed a reconciliation government with ministers from all major political parties and the three rebel parties. Several ministries changed names and responsibilities and some new ministries were created, including: the Ministry of Territorial Administration; Ministry of National Reconciliation; and Ministry of War Victims, the Displaced, and People in Exile.

Of the 41 portfolios, the FPI maintained 10 ministerial posts; the PDCI, RDR, and MPCI 7 posts each; UDPCI and PIT 2 posts each; and MJP, Movement of Forces for the Future (MFA), Democratic and Citizen Union (UDCY), and MPIGO 1 post each. The Ministers of Defense and Security, named in September after several months of deadlocked negotiations, were neutral and not formally associated with any political party.

On April 11, President Gbagbo issued a decree listing the powers and duties of the new Prime Minister. The 16 duties include: Disarmament; the reestablishment of the territorial integrity of the country; the liberation of prisoners of war; the reformulation of defense and security forces; an amnesty for all those detained or exiled for actions against the state; the reestablishment of normal economic, social, and administrative functions; the reform of the naturalization process; the preparation of the organizational framework for the conduct of future elections; the regulation and promotion of a free and neutral media; the reinsertion of military units previously demobilized; and application of laws related to human rights.

The Constitutional and Electoral Consultative Commission (CCCE), created by General Guei's CNSP, drafted the Constitution in 2000. Members of major political parties and civil society comprised the CCCE; however, the CNSP and General Guei made changes to the CCCE's text prior to implementation.

The youth wings of political parties were allowed to organize and were active. The youth wing of the governing FPI party (JFPI) was a less of a political force than in previous years. JFPI activity was ongoing; however, youth patriot groups conducted most activities during the year (see Section 2.b.). Many of the members of the JFPI were likely members of some of these patriot groups. After the September 2002 rebellion, on several occasions the JFPI, closely allied with COJEP led by self-declared "young patriot" Charles Ble Goude, and the Patriots for the Total Liberation of Cote d'Ivoire (UPLT-CI) led by Eugene Djue, drew tens of thousands of marchers to pro-government, anti-French, anti-Marcoussis, and anti-northerner rallies (see Section 2.b.). The youth wings of the PDCI and RDR kept a low profile, especially after September 2002, but staged some activities during the year.
On May 22, Ble Goude led protesters to remove about 10 meters of railroad track in Abidjan. While police were on the scene, no one was arrested. Ble Goude, who is closely associated with President Gbagbo, stated that he removed the tracks to protest the restart of the train between the country and Burkina Faso. In late June, Prime Minister Diarra and U.N. Special Representative Albert Tevoedjre publicly criticized the youth groups, saying that they were endangering the Marcoussis reconciliation process. President Gbagbo instructed the police to "rigorously" apply criminal law against the militia leaders if they engaged in illegal activities; however, there were no reports of police action control of or action against the militias or patriot groups who continued training openly in various parts of the country.

Women held 19 of 225 seats in the National Assembly. The first vice president of the National Assembly was a woman. Women held 7 of the 41 ministerial positions in the cabinet. Of the 41 Supreme Court justices, 4 were women. Henriette Dagri Diabate served as Secretary General of the RDR, the party's second ranking position, and is also the Minister of Justice.

Following the Marcoussis Accord, 10 of the 41 ministers were Muslim, along with the Prime Minister.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups, including LIDHO, MIDH, Justice Action, and the Committee of Victims of Cote d'Ivoire (CVCI), generally operated without government restriction, investigating and

publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views. The Government occasionally met with some of these groups. One human rights group had its offices ransacked by unknown assailants during the year.

During the year, LIDHO, MIDH, and other human rights groups gathered evidence and testimony on events. They also frequently published letters and statements in certain independent local daily newspapers who would publish them, often criticizing state security forces. On April 5, unknown persons broke into the Abidjan offices of MIDH, ransacked the premises, and stole several of the organization's documents. MIDH officials expressed suspicion that the assailants were looking for a draft report about the human rights situation in the country. MIDH officials also stated that they were constantly threatened and that two members had been living in hiding for several months. Authorities said they would investigate the incident, but there were no reports of an investigation or arrests at year's end.

In September, President Gbagbo named law professor and LIDHO president Martin Bleou Security Minister. Since the September 2002 rebellion, Bleou's organization had been openly critical of both rebel and government human rights violations.

There were no reports that the Government suppressed international human rights groups or denied them visas; however, on occasion the Government has restricted their access to certain areas that the Government deemed sensitive and often denigrated their work.

Local newspapers covered reports by several international human rights organizations that were critical of both the Government's and the rebels' human rights records. On February 26, AI reported that unpunished crimes in the country have resulted in retribution killings. On April 14, HRW sent a letter to the U.N. Security Council describing the deteriorating human rights situation in the west and on August 5 published an extensive study of violence against civilians in the region (see Section 1.g.).

During the year, the Government regularly permitted access to the World Food Program (WFP), the ICRC, and other international humanitarian organizations. Eleven U.N. agencies, including the International Labor Organization (ILO) and the World Health Organization (WHO), were resident and active throughout the year.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution and the law prohibit discrimination based on race, ethnicity, national origin, sex, or religion; however, in practice women occupied a subordinate role in society. Ethnic discrimination and division were problems.

Women

Representatives of the Ivoirian Association for the Defense of Women (AIDF) stated that spousal abuse (usually wife beating) occurred frequently and often led to divorce. Female victims of domestic violence suffered severe social stigma and as a result often did not discuss domestic violence. The courts and police viewed domestic violence as a family problem unless serious bodily harm was inflicted, or the victim lodged a complaint, in which case they could initiate criminal proceedings. However, a victim's own parents often urged withdrawal of a complaint because of the shame that attached to the entire family. The Government did not collect statistics on rape or other physical abuse of women. The Civil Code prohibits, and provides criminal penalties for, forced or early marriage and sexual harassment, but contains nothing about spousal abuse, and the Government had no clear policy regarding spousal abuse.

Women's advocacy groups continued to protest the indifference of authorities to female victims of violence. The groups also reported that victims of rape or domestic violence often were ignored when they attempted to bring the violence to the attention of the police. AIDF and the Republican Sisters, another women's NGO, continued to seek justice on behalf of rape victims but had made no progress by year's end. AIDF ran a house for battered girls and wives, which reportedly received approximately 18 battered women per week.

In November, the Minister of Women, Family, and Children's Affairs launched a campaign to stop violence against women and children. The Ministry also opened psychological assistance centers in the city of Abobo for battered women and children.

FGM was a serious problem. The law specifically forbids FGM and imposes on those who perform it criminal penalties of imprisonment for up to 5 years and a fine of approximately $690 to $3,800 (360,000 to 2 million CFA

francs); double penalties apply to medical practitioners. FGM was practiced primarily among the rural populations in the north and west and to a lesser extent in the center. The procedure usually was performed on young girls or at puberty as a rite of passage, with techniques and hygiene that did not meet modern medical standards. According to WHO and the AIDF, as many as 60 percent of women have undergone FGM. Many families from the cities went back to their villages to have their daughters circumcised. The practice was declining in popularity, but persisted in many places. In August, newspapers reported that a family fled their home in Abidjan so their only daughter did not have to undergo FGM, which was being forced on them by their extended family.

Prostitution is not illegal as long as it occurred between consenting adults in private. Soliciting and pandering were both illegal and the Morals Squad sometimes enforced the law.

A local NGO estimated that 58 percent of the women prostitutes in Abidjan were not citizens. Women from nearby countries sometimes were trafficked the country, including for prostitution (see Section 6.f.).

The Constitution and the law prohibit discrimination on the basis of sex; however, women occupied a subordinate role in society. Government policy encouraged full participation by women in social and economic life; however, there was considerable informal resistance among employers to hiring women, whom they considered less dependable because of their potential pregnancy. Some women also encountered difficulty in obtaining loans, as they could not meet the lending criteria established by banks such as a title to a house and production of a profitable cash crop, specifically coffee and cocoa. Women in the formal sector usually were paid at the same rate as men (see Section 6.e.); however, because the tax code did not recognize women as heads of households, female workers frequently paid income tax at a higher rate than their male counterparts. In rural areas, women and men divided the labor, with men clearing the land and attending to cash crops such as cocoa and coffee, while women grew vegetables and other staples and performed most household tasks.

Women's advocacy organizations continued to sponsor campaigns against forced marriage, marriage of minors, patterns of inheritance that excluded women, and other practices considered harmful to women and girls. Women's organizations also campaigned during the year against the legal texts and procedures that discriminated against women. In March, psychologists and legal experts held a conference on the "Psychological Impact of War on Women." The conference focused on physical and mental illnesses that many women face after instability and war where women are often sexually attacked. In May, a group of women formed a new association called the Coalition of Women Leaders to promote women's accession to decision-making positions in the society.

In December 2002, the Minister of Family, Women, and Children's Affairs presented Prime Minister Diarra with a Women's National Action Plan (PNAF) that was being drafted since 1998. The specific objectives assigned in the PNAF were to increase women's income by 20 percent by 2007, as well as increase the proportion of women in decision-making structures from 6 percent in 2001 to 20 percent in 2007.

In September, Jeanne Peuhmond, a high RDR party official and Deputy Mayor of Abobo (district of Abidjan) was named Minister of Family, Women, and Children.

Children

The Ministries of Public Health and of Employment, Public Service, and Social Security sought to safeguard the welfare of children, and the Government also encouraged the formation of NGOs such as the Abidjan Legal Center for the Defense of Children.

The Government strongly encouraged children to attend school; however, primary education was not compulsory. Primary education was tuition free but usually ended at age 13. In principle, students do not have to pay for books or fees; however, in practice some still must do so. In addition, they must pay for some school supplies, including photocopying paper. In at least one school, students had to bring their own bench to sit on. Poverty caused many children to leave the formal school system when they were between the ages of 12 and 14. Research in 2002 showed that 67 percent of children 6 to 17 years old attend school: Boys 73 percent, girls 61 percent. The WFP has worked with the Government to establish a countrywide system of school canteens that provided lunches for $.04 (25 CFA francs). Pupils no longer were required to wear a uniform to primary schools.

Secondary school entrance was restricted by the difficulty of the exam, which changed each year, and the Government's ability to provide sufficient spaces for all who wished to attend. A student who fails the secondary school entrance exams does not qualify for free secondary education, and many families cannot afford to pay for schooling. Parental preference for educating boys rather than girls persisted, particularly in rural areas. The Minister of National Education stated that almost one-third of the female primary and secondary school dropout

rate of 66 percent was attributable to pregnancies.

Many of the sexual partners of female students were teachers, to whom girls sometimes granted sexual favors in return for good grades or money. The penalty for statutory rape or attempted rape of either a girl or a boy aged 15 years or younger was a 1- to 3-year prison sentence and a fine of $190 to $1,900 (100,000 to 1 million CFA francs).

The Ministry of Health operated a nationwide network of clinics for children, infants, and prenatal care staffed with nurses and doctors who served the local residents, whether citizens or noncitizens, free or at low cost. The Health Ministry also conducted a nationwide vaccination program for measles, yellow fever, meningitis, and other diseases and publicized "well baby" contests. Rotary Clubs sponsored a polio vaccination campaign throughout the country. There were no reported differences in the treatment of boys and girls.

The health system in NF-controlled territory was seriously disrupted because of the conflict.

There were large populations of street children in the cities. In 2002, the government newspaper, Fraternite Matin, reported 215,000 street children in the country, of whom 50,000 were in Abidjan. According to the AIDF, the BICE, the Ministry of Family, Women, and Children's Affairs, and press reports, some children were employed as domestics and were subject to sexual abuse, harassment, and other mistreatment by their employers (see Section 6.d.). A forum of 15 NGOs worked with approximately 8,000 street children in training centers, similar to halfway houses. The NGOs paid the children a small subsistence sum while teaching them vocational and budgeting skills. The Ministry reported that many street children were reluctant to stay in training centers where they earned no money and were subject to strict discipline.

In a study released in March, the NGO SOS Sexual Violence surveyed 500 schoolchildren in Abidjan and its suburbs and reported that 27 percent of children had been victims of sexual abuse; 74 percent of the victims were girls and 26 percent boys. Approximately 33 percent had been raped, 15 percent had been the victims of attempted rape; 42 percent had been fondled, and 11 percent were victims of sexual harassment. An estimated 74 percent of the assailants were men. When the sexual abuse occurred in the family, 54 percent of the assailants were male cousins, 11 percent were female cousins, 5 percent were guardians, and 3 percent were the brothers and sisters.

In May, U.N. Special Representative for Children and Armed Conflict visited Abidjan and said that conflicts, poverty, and education disruptions were putting children in danger. A knowledgeable U.N. representative reported that in government-held territory, it was common for pro-government militias to recruit children, both on a voluntary and a forced basis.

In some parts of the country, FGM was commonly performed on girls (see Section 5, Women).

There were reports of trafficking in children (see Section 6.f.).

Child labor remained a problem (see Sections 6.d. and 6.f.).

In the NF-controlled north and west, many schools continued to operate despite the Ministry of Education's opposition to funding schools in rebel-held territory zones. UNESCO and UNICEF called on the Government to keep the schools open to reduce youth inactivity and curb their recruitment into rebel forces. At year's end, it remained unclear whether the Ministry of Education would validate the school year and allow exams to be held in the rebel-held territory.

There were credible reports that the rebel forces that controlled the north and the west used child soldiers who they recruited and armed after September 2002. NGOs reported that in the west, rebel forces were actively recruiting child soldiers from refugee camps and other areas. In the north, many rebel soldiers volunteered at ages 15 or younger.

Persons with Disabilities

The law requires the Government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities, to hire them or help them find jobs, to design houses and public facilities for wheelchair access, and to adapt machines, tools, and work spaces for access and use by persons with disabilities; however, wheelchair accessible facilities for persons with disabilities were not common, and there were few training and job assistance programs for persons with disabilities. The Government was working to implement these requirements

at year's end. Emphasis and awareness of disability issues increased during the year. Following the Marcoussis Accord in January, the Ministry of Solidarity, Social Security, and the Handicapped was created.

The law also prohibits the abandonment of persons with mental or physical disabilities and acts of violence directed at them. Adults with disabilities were not specific targets of abuse, but they encountered serious difficulties in employment and education. The Government supported special schools, associations, and artisans' cooperatives for persons with disabilities, but many persons with physical disabilities begged on urban streets and in commercial zones. Persons with mental disabilities often lived in the streets.

There were several demonstrations during the year by persons with disabilities. In February, persons with disabilities protested the Marcoussis Accord, saying that it would be dangerous for the country. On June 24, a guard injured a person with disabilities at the Prime Minister's offices during a protest demanding the further integration of the persons with disabilities into the society. In August, a group of students with disabilities marched at the University of Cocody campus to protest discrimination they face when entering the job market.

On March 10, the Federation of Associations for the Social Promotion of the Handicapped in Cote d'Ivoire called for the nomination of a person with a disability to be named Minister for Social Affairs and the Handicapped; however, the cabinet had no ministers with disabilities at year's end.

In October, television news began broadcasting with subtitles for the hearing impaired.

In November, the Organization For the Social Insertion of the Handicapped (OIHPA) in the Department of Adzope began a credit fund for persons with disabilities. OIHPA President Emmanuel Kouadio stated that the fund was intended to alleviate the poverty and education levels of persons with disabilities. OIHPA released statistics indicating that 98 percent of the country's persons with disabilities had only had minimal education. The fund is estimated to have more than $30,000 (15 million CFA francs).

During the year, the Mayor of Yopougon gave approximately $18,000 (10 million CFA francs) for projects for persons with disabilities in the Yopougon district of Abidjan.

Also during the year, the Rotary Club of Abidjan and the Foundation of Development for Professional Training provided 60 students with disabilities with scholarships for computer and technical training.

Traditional practices, beliefs, and superstitions varied, but infanticide in cases of serious birth defects was less common than in previous years.

National/Racial/Ethnic Minorities

The country's population was ethnically diverse. Citizens born in the country derived from five major families of ethnic groups. The Akan family comprised more than 42 percent of the citizenry; the largest Akan ethnic group, and the largest ethnic group in the country, was the Baoule. Approximately 18 percent of citizens belonged to the northern Mande family, of which the Malinke were the largest group. Approximately 11 percent of citizens belonged to the Krou family, of which the Bete were the largest group. The Voltaic family accounted for 18 percent of the population, and the Senoufo were the largest Voltaic group. Approximately 10 percent belonged to the southern Mande family, of which the Yacouba were the largest group. Major ethnic groups generally had their own primary languages, and their nonurban populations tended to be concentrated regionally.

All ethnic groups sometimes practiced societal discrimination on the basis of ethnicity. Urban neighborhoods still had identifiable ethnic characteristics, and major political parties tended to have identifiable ethnic and regional bases, although interethnic marriage increasingly was common in urban areas.

At least 26 percent of the population was foreign, and of that group, 95 percent were other Africans. There were more than 5 million West African immigrants living in the country. Most of the Africans were from neighboring countries, with half of them from Burkina Faso. Birth in the country did not automatically confer citizenship. Outdated or inadequate land ownership laws resulted in conflicts with an ethnic and anti-foreigner aspect.

Some ethnic groups included many noncitizens, while other ethnic groups included few noncitizens. There were societal and political tensions between these two sets of ethnic groups. This cleavage corresponded to some extent to regional differences. Members of northern ethnic groups that were found in neighboring countries as well as in the country often were required to document their citizenship, whereas members of formerly or presently

politically powerful ethnic groups of the south and center reportedly were not required to do so. Police routinely abused and harassed noncitizen Africans residing in the country (see Section 1.c.). Official harassment reflected the frequently encountered belief that foreigners were responsible for high crime rates, as well as a concern for identity card fraud. After the September 2002 rebellion, harassment of northerners increased markedly; however, there were fewer reports by year's end.

After September 2002, President Gbagbo accused "a neighboring country" of being behind the rebellion. The Government razed shantytowns where many poor West African immigrants and citizens lived, rendering tens of thousands persons homeless (see Section 1.f.).

Since the September 2002 rebellion, there were many instances of anti-French and anti-Burkinabe sentiment. Following the violence in January and February after the signing of the Marcoussis Accord, many private French citizens left the country. Approximately 350,000 Burkinabe returned to Burkina Faso.

Ethnic tensions led to fighting and deaths, especially in the western areas of the country. During the year, We and Yacouba ethnic groups in the west continued fighting, and hundreds reportedly were killed.

In November, local Bete tribesmen and farmers from other areas of the country clashed over land rights and the buying of cocoa beans. According to humanitarian agencies, citizens from other parts of the country, as well as Burkinabe and Malians, were targeted by longtime residents, who called themselves patriots. Sources reported that gangs of youths forced 500 local cocoa farmers to abandon their farms after refusing to join local cooperatives. The youth groups burned several homes and reportedly poisoned two wells. Soldiers called in to stop the fighting killed numerous persons. Minister of National Reconciliation Sebastian Djedje acknowledged the dispute between the villagers and said he would work to end the violence. There were persistent reports throughout the year from humanitarian aid agencies and others that ethnic killings and retributions occurred in the west and center-western part of the country.

Section 6 Worker Rights

a. The Right of Association

The Constitution and the Labor Code grant all citizens, except members of the police and military services, the right to form or join unions, and worker exercised these rights in practice. Registration of a new union required 3 months. The three largest labor federations were the General Union of Workers of Cote d'Ivoire (UGTCI), the Federation of Autonomous Trade Unions of Cote d'Ivoire, and Dignite, which became inactive. Unions legally are free to join federations other than the UGTCI.

Only a small percentage of the workforce was organized, and most laborers worked in the informal sector that included small farms, small roadside and street side shops, and urban workshops. However, large industrial farms and some trades were organized. There was an agricultural workers union. The law prohibits anti-union discrimination. There have been no known prosecutions or convictions under this law, nor have there been reports of anti-union discrimination. Unions were free to join international bodies, and the UGTCI was affiliated with the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

The law protects persons working in the formal sector (approximately 1.5 million workers or 15 percent of the workforce) from employer interference in their right to organize and administer unions, and this was observed in practice. The Constitution provides for collective bargaining, and the Labor Code grants all citizens, except members of the police and military services, the right to bargain collectively. Collective bargaining agreements were in effect in many major business enterprises and sectors of the civil service. In most cases in which wages were not established in direct negotiations between unions and employers, the Ministry of Employment and Civil Service established salaries by job categories (see Section 6.e.).The Constitution and statutes provide for the right to strike, and the Government generally protected this right in practice. However, the Labor Code requires a protracted series of negotiations and a 6-day notification period before a strike may take place, making legal strikes difficult to organize. Workers in the private and government sectors continued to strike over working conditions and terms of employment, and the Government generally tolerated the strikes, which rarely resulted in violence (see Section 2.b.). There were several strikes during the year (see Section 2.b.). For example, on April 25, hundreds of former employees demonstrated at the National Identification Office (NIO), formerly the Security Identification Center, demanding 25 months in salary arrears. Despite continued meetings between former employees, labor inspectors, and NIO management, the former employees had not received their salary arrears by year's end.In

early June, a ministerial decree declared that chief court clerks must share among all judicial system workers, including judges, the fees they collected and traditionally kept. Previously they shared the fees only with other court clerks (greffiers). Some court clerks went on strike for 3 weeks. The Minister of Justice called for an independent audit of collections and warned the striking clerks that under the law they would be considered absent from their posts. At year's end, no clerks had been fired and no fees had been disbursed.In early June, airport agents refused to handle Air France, Air Senegal, and some other flights for 3 days. They objected to being moved from the authority of the Ministry of Transportation to the Ministry of Economic Infrastructure. The handling agents feared losing claims to indemnities from the liquidation of defunct Air Afrique airline, their previous employer.

Also in June, more than 500 administrative personnel at the University of Cocody (Abidjan) conducted a 72-hour strike to object to the Minister of Higher Education appointing a new Director General to run the social and housing section of the university. The administrators' union also demanded that the Minister settle problems between the FESCI student union and the administrative personnel.

There were no developments in the cases of security forces who forcibly dispersed strikes in 2002 and 2001.

The Labor Ministry arbitrated more than 120 labor conflicts in 2002 in spite of the "social truce" agreed to in 2001. Employees could appeal decisions made by labor inspectors to labor courts.

There are no export processing zones.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however, there were reports such practices occurred (see Sections 6.d. and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

Child labor remained a problem. In most instances, the legal minimum working age is 14; however, the Ministry of Employment and Civil Service enforced this provision effectively only in the civil service and in large multinational companies. Labor law limits the hours of young workers, defined as those under the age of 18. However, children often worked on family farms, and some children routinely acted as vendors, shoe shiners, errand boys, domestic helpers, street restaurant vendors, and car watchers and washers in the informal sector in cities. Some girls begin work as domestic workers as early as 9 years of age, often within their extended family. There were reliable reports of children laboring in "sweatshop" conditions in small workshops. Children also worked in family operated artisanal gold and diamond mines.

In April, the Ministry of Solidarity, Social Security, and the Handicapped completed a child labor study. The study was designed to cover all economic sectors across the entire country, but the political crisis confined the research to the southern half of the country. Regardless of school attendance, 28 percent of all children worked, with 20 percent working full time. About 23 percent of the children aged 10 to 14 and 55 percent of the children aged 5 to 17 carried out an "economic activity." Most children worked in agriculture, but some also worked in small business, tailor and beauty shops, street restaurants, and manufacturing and repair shops in the informal sector. Child work varied inversely with school attendance.

Approximately 109,000 child laborers worked in hazardous conditions on cocoa farms in what has been described as the worst forms of child labor (see Section 6.f.); some of these children were forced or indentured workers but 70 percent worked on family farms or with their parents.

During the year, the employment agencies in charge of finding domestic employment for young girls launched the Association of Domestic Worker Placement in Cote d'Ivoire (ACPGM-CI), an association to legalize their agencies and eliminate all agencies that refuse to comply with the law or that try to exploit the young girls. ACPGM-CI worked under the auspices of BICE, which along with other NGOs, has been campaigning against child trafficking, child labor, and sexual abuse of children in the country.

e. Acceptable Conditions of Work

The Government administratively determined monthly minimum wage rates, which last were adjusted in 1996. In 2002, President Gbagbo promised a comprehensive pay raise; however, only the police received an increase. Minimum wages varied according to occupation, with the lowest set at approximately $70 (36,000 CFA francs) per

month for the industrial sector; this wage was not sufficient to provide a decent standard of living for a worker and family. A slightly higher minimum wage rate applied for construction workers. The Government enforced the minimum wage rates only for salaried workers employed by the Government or registered with the social security office. The majority of the labor force worked in agriculture or in the informal sector where the minimum wage did not apply. According to a Labor Ministry survey, workers in the agricultural and fishing sector received an average of $1,460 (726,000 CFA francs) a year.

Labor federations attempted to fight for just treatment under the law for workers when companies failed to meet minimum salary requirements or discriminated between classes of workers, such as local and foreign workers. For example, the sanitary services company ASH continued to pay wages as low as $23 (12,000 CFA francs) a month to female employees who swept the streets of Abidjan. According to their labor federation, labor inspectors continued to ignore this violation of the law. The shipbuilding company Carena continued to discriminate between European engineers who were paid on average $15,600 (8 million CFA francs) a month and their African colleagues who received approximately $1,500 (800,000 CFA francs) a month. Government labor and employment authorities did not take action in these cases.

Through the Ministry of Employment and the Civil Service, the Government enforced a comprehensive Labor Code that governs the terms and conditions of service for wage earners and salaried workers and provides for occupational safety and health standards. Employees in the formal sector generally were protected against unjust compensation, excessive hours, and arbitrary discharge from employment. The standard legal workweek was 40 hours. The Labor Code requires overtime payment on a graduated scale for additional hours and provides for at least one 24-hour rest period per week.

Working conditions did not improve during the year and in some cases declined. Government labor inspectors could order employers to improve substandard conditions, and a labor court could levy fines if the employer failed to comply with the Labor Code. However, in the large informal sector of the economy, the Government enforced occupational health and safety regulations erratically, if at all. The practice of some labor inspectors accepting bribes was a continuing problem, and observers believed that it was widespread. Workers in the formal sector had the right to remove themselves from dangerous work situations without jeopardy to continued employment by utilizing the Ministry of Labor's inspection system to document dangerous working conditions. However, workers in the informal sector ordinarily could not absent themselves from such labor without risking the loss of their employment.

Several million foreign workers, mostly from neighboring countries, typically worked in the informal labor sector, where labor laws did not apply.

f. Trafficking in Persons

The law does not prohibit trafficking in persons, and although the Government continued its anti-trafficking efforts, trafficking in persons remained a problem. Unlike in the previous year, there were no reports that the Government prosecuted traffickers using existing laws against the kidnapping of children. With the continuing crisis, the Government, U.N. agencies, and international humanitarian agencies concentrated on child soldiers and children displaced because of the war, but it was difficult to distinguish trafficked children. The country was a source and destination country for trafficking in women and children.

After September 2002, minimal law enforcement continued in government-held territory. The military fronts that divided the country inhibited northern workers from reaching the cocoa, coffee, and other rich agricultural zones in the south where labor demand is high. Furthermore, the Governments of Mali and Burkina Faso closed their borders with Cote d'Ivoire. The border with Burkina Faso reopened in September.

In September, there were news reports that a Bamako court convicted two Malian men of child trafficking for trying to smuggle five minors to Cote d'Ivoire to work on plantations.

Unlike in the previous year, authorities did not intercept persons involved in trafficking. There was no good overall estimate of the number of children intercepted or repatriated during the year.

There were no developments in the trafficking cases from 2002 and 2001.

The Government cooperated with neighboring countries, international organizations, and NGOs to combat trafficking in persons. During the year, the Ministries of Employment and of Family, Women, and Children's Affairs continued working with Malian authorities to prevent cross-border child trafficking and to repatriate Malian children

from the country. They actively sought international funding for their work, but were hampered because there was no minister in place for much of the year. The Government also hoped to work with the Governments of Burkina Faso and Togo on an anti-trafficking in children and repatriation protocol, similar to the agreement with Mali, but talks have not been held since the September 2002 rebellion broke out. A national committee for the fight against child trafficking, which included representatives from numerous government Ministries; representatives from several national and international organizations and NGOs, such as UNICEF, REFAMP-CI (network of women ministers and parliamentarians); and the BICE continued its work during the year.

The extent of the problem was unknown. The country's cities and farms provided ample opportunities for traffickers, especially of children and women. The informal labor sectors were not regulated under existing labor laws, so domestics, most nonindustrial farm laborers, and those who worked in the country's wide network of street shops and restaurants remained outside most government protection. Internal trafficking of girls aged 9 to 15 sent from all parts of the country to work as household domestics in Abidjan, and elsewhere in the more prosperous south, remained a problem.

The regular trafficking of children into the country from neighboring countries to work in the informal sector in exchange for finder's fees generally was accepted. Children were trafficked into the country from Mali, Burkina Faso, Ghana, Togo, Benin, and Mauritania for indentured or domestic servitude, farm labor, and sexual exploitation. In previous years, there were reports that children, some as young as 6 years of age, were trafficked from Benin to work as agricultural laborers and maids; however, there were no such reports during the year.

Women principally were trafficked to the country from Nigeria, Ghana, Liberia, and Asian countries. A local NGO estimated that 58 percent of the female prostitutes in Abidjan were not citizens and reported that a small number of Ivoirian women were trafficked to Europe and the Middle East for prostitution.

Women and children were trafficked from the country to African, European, and Middle Eastern countries.

The controversy over child labor in the cocoa sector in the country continued, and the U.S. Agency for International Development (USAID), the ILO, the Institute of Tropical Agriculture, and the Chocolate Manufacturers' Association financed studies to document the problem. The survey research, released in 2002, revealed that most children who were working in the cocoa sector worked on the family's farm (approximately 70 percent) or beside their parents. Of the 625,000 working children, 96.7 percent had a kinship relation to the farmer. Others, most frequently the children of extended family members or persons well known to them, indicated their or their family's agreement to leave their respective countries to work on farms in the country to earn money or in search of a better life.

The research suggested that perhaps 5,000 to 10,000 children were trafficked to or within the country to work full or part time in the cocoa sector. It also showed an estimated 5,100 children employed as full-time permanent workers, approximately 3,000 of whom were from Burkina Faso. The survey found another 12,000 children working part time on cocoa farms who had no family ties with the farmer. The research showed that approximately 109,000 child laborers worked in hazardous conditions on cocoa farms in the country in what the study described as the worst forms of child labor. The studies estimated that 59 percent were from Burkina Faso, 24 percent were citizens, and the others were from Mali or other countries to the north.

The practice of importing and indenturing Malian boys for fieldwork on farms and plantations under abusive conditions continued during the year. Children recruited by Malians in the border town of Sikasso were promised easy and lucrative jobs in the country, transported across the border, and then sold to others who dispersed them throughout the farms and plantations of the central and western regions.

On August 25, the Government and the ILO agreed to take part in the "West African Project Against Abusive Child Labor in Commercial Agriculture" (WACAP). WACAP was expected to include 30 pilot projects reaching 6,000 displaced children in the country. The projects aimed to increase farmers' awareness, improve schooling for children, and provide better social services to families. In addition, on August 28, in Abgoville, in the heart of the cocoa zone, Winrock International launched one of the projects: "Alternatives to Child Labor through Improved Education."